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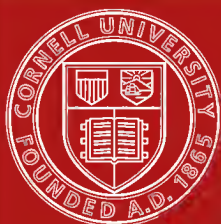
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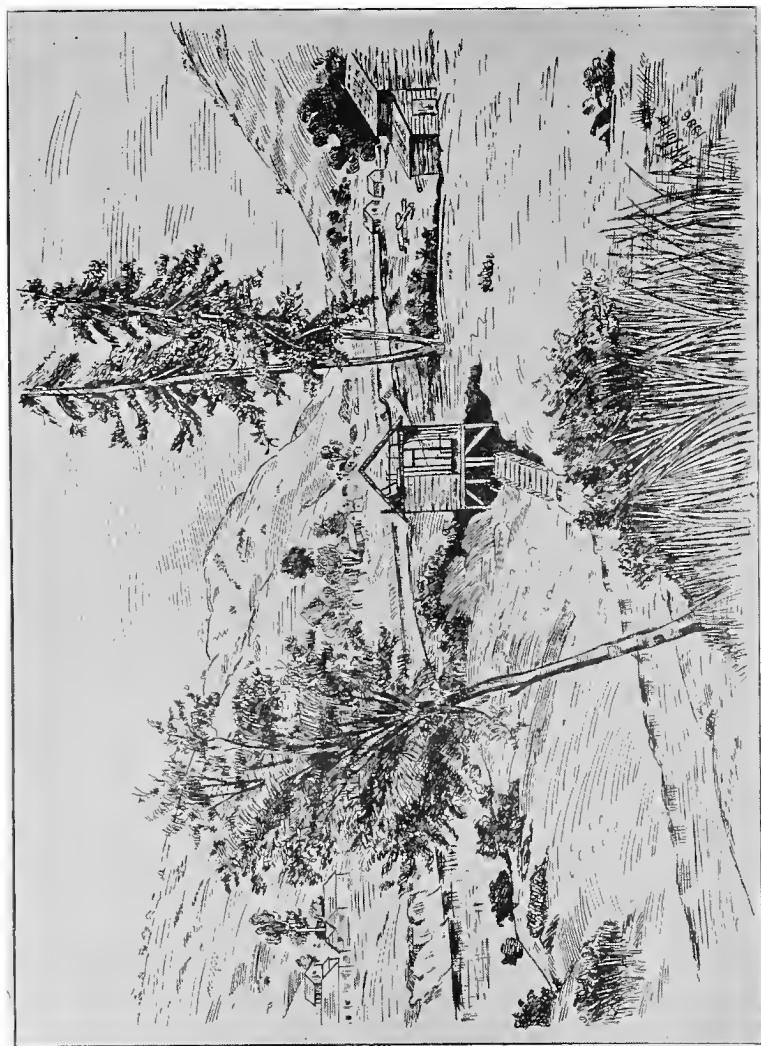


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SUTTER'S MILL, COLOMA.
Drawn by A. W. Fuller from copy.

Pioneers of El Dorado

By

CHARLES ELMER UPTON

Author of "The Life and Work of the Rev.
C. C. Peirce," etc.

**I have no words to speak their praise.
Theirs was the deed; the guerdon ours.
The wilderness and weary days
Were theirs alone; for us the flowers.**

[A. J. Waterhouse]

Placerville, California
CHARLES ELMER UPTON, Publisher
1906.

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THE NUGGET PRESS
Placerville, California

A FOREWORD.

It has not been my intention to sketch the lives of all of El Dorado county's pioneers; but rather to give, in the form of a few representative biographies, those events in our county's annals which are most worthy of being preserved as history, together with such anecdotes, both comic and pathetic, which would best serve to indicate what manner of people the early Californians were. Necessarily, in a book of this description, much has been written that may shock the over-fastidious. But history is a chronicle of vital events, and as such must depict both the evil and the good. It must be remembered that the early settlers of California were a most conglomerate mass of humanity, representing every grade of refinement and of vulgarity; and the true narrative of such a people, or, in fact, of any real life, cannot be expected to resemble an Elsie Dinsmore Sunday-school story.

For aid in the compilation of this book, I am indebted, first of all, to many of the living pioneers, and to the relatives and friends of other pioneers whose earthly careers are at an end. I have likewise obtained much valuable assistance from the files of the Placerville and Georgetown newspapers, and from the pages of Haskins' "Argonauts of California," Parsons' "Life of J. W. Marshall," Sioli's "History of El Dorado County," Hall's "Around the Horn in '49," Leeper's "Argonauts of Forty-Nine," Ridge's "Life of Joaquin Murieta" and Theodore H. Hittell's scholarly "History of California."

I fully realize the many deficiencies of this little book; but if I have succeeded in compiling an interesting history of the old "Empire County," suited in price to the purse of the average reader, and at the same time have added something, however small, to the annals of California, I am content.

CHARLES ELMER UPTON,
Placerville, Cal., September 30, 1906.

To my dear friends
and former pupils,
Mabel, Stella, Ralph and Edgar Berry,
grandchildren of one of the worthiest of El
Dorado county's pioneers,
this book is dedicated.

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Pioneers of El Dorado.

I.

JAMES W. MARSHALL,

THE FOUNDER OF A COMMONWEALTH.

It was during the sixteenth century that a Caucasian first set foot upon the Pacific slope of North America, but to the loyal Californian an ever-memorable day in January, 1848, represents the virtual beginning of the land of his nativity. A little mill-race at Coloma, on the South Fork of the American river, in El Dorado county, is of greater moment to him than are the privations and achievements of the Franciscan Fathers, the voyages of Commodores Sloat and Stockton, or the invaluable services of Captain John C. Fremont.

Upon a hill overlooking historic Coloma, there stands to-day a granite monument surmounted by

a life-sized figure of James W. Marshall, in miner's garb, one hand clasping a bronzed reproduction of a nugget of gold, and the other extended with its index finger pointing towards the site of famous Sutter's Mill, all traces of which have been as completely obliterated as if it had never existed.

James Wilson Marshall was a native of Hope Township, Hunterdon county, New Jersey, where his advent occurred October 10, 1810. In boyhood he was apprenticed to his father's trade, that of a coach and wagon builder. His early years were uneventful; but after attaining his majority a desire to see something of the west took possession of him. Accordingly he selected a few necessary articles from his small belongings, and adding thereto the usual outfit of the average pioneer, soon left the scenes of his childhood and youth far behind him.

Reaching Crawfordsville, Indiana, he halted and supported himself for a time by carpenter work. But after a few months he again set forth, going to Warsaw, Illinois. His sojourn here was likewise brief, and we next find him in the "Platte Purchase" near Fort Leavenworth, Missouri. Here he located a homestead and devoted his energies to farming and trading; but just as Fortune was beginning to smile upon him he contracted "fever and ague." After combating for six years the insidious ravages of malaria, he resolved again to emigrate, as his physician assured him that two years more of that climate meant death.

At that period there was a great deal said about a wonderful country in the far west called California. It was said to be a region of vast fertility;

there were many rivers; and timber and game abounded.

Marshall's plans were soon formulated. He would go to California. Other men of his neighborhood were organizing for the same purpose; so, collecting his stock, he promptly joined them. About May 1, 1844, the party began the long, tedious journey westward. A train of one hundred wagons comprised the caravan. Spring floods in the bottom lands of the Missouri river and its tributaries were the cause of much delay, but finally the travelers reached Fort Hall, where a consultation was held. Here the majority decided that the safest route to California was by way of Oregon. Some of the men, however, disagreed with that conclusion and the differing opinions finally resulted in a disruption of the party, Marshall and some forty others going on horseback by the way of Oregon. They spent the winter in that territory, and in June, 1845, entered California by way of Shasta. Descending the Sacramento Valley, they encamped at Cache Creek, about forty miles from where the city of Sacramento now stands. Here the party separated, a number of them going to Yerba Buena—now San Francisco—and others, including Marshall, proceeding to Sacramento, where Captain Sutter had already established his famous Fort. And here, in July, Marshall entered the employ of that well-known pioneer.

The next two years of Marshall's life, part of which was spent as a volunteer under Commodore Stockton in the Bear Flag War, need no recounting here, as the only historical portion of that period is fully described in another chapter of this book.

Before the commencement of the Bear Flag War Marshall had purchased a large tract of land on the north side of Butte Creek, in what is now called Butte county. He returned after the war only to find that most of his live stock had disappeared. Whether it had strayed away or had been stolen, he never knew; but at all events, his business was ruined. He had but little money, so it was necessary for him to find some other means of livelihood. The lumbering industry attracted him. Accordingly, he returned to Sutter's Fort in order to secure the co-operation of Captain Sutter in the projected enterprise. Sutter, being also interested in timbering, had previously sent out several expeditions in search of good timber land.

Marshall wanted to locate a saw-mill on Butte Creek; but Samuel Kyburz, Sutter's superintendent, who had led one of the Sutter expeditions and had discovered the site of the present town of Coloma, interfered in favor of the latter place. Nevertheless, Marshall deserves the credit of selecting the actual site upon which the mill was afterward built.

Coloma, first named "Culloomah" by the Indians, was situated in a little valley along the South Fork of the American river, in what is now a portion of El Dorado county. After Captain Sutter, upon Kyburz's advice, had chosen his location, Marshall, accompanied by several Indian guides, went over the ground carefully, in search of a suitable mill site.

The hills north of the river were very rugged and precipitous, but on the south the declivity was more gradual, and here, on a point of land formed by a curve in the stream, Marshall found

an ideal location for the building. The water power was ample and the surrounding hills were covered with timber.

After marking out the proposed location of his mill and examining the neighborhood as to its adaptability for the transportation of lumber, Marshall returned to the Fort, told Sutter of the result of his explorations and concluded by announcing that all he needed now was a partner with capital, to assist him to build and run the mill. Sutter immediately offered to co-operate with him in the undertaking. There was some delay, occasioned mainly by the interference of other persons; but on the 19th of August, 1847, a partnership was effected. It was agreed that Sutter should furnish the capital for erecting the mill on a location selected by Marshall, who was to be the active partner, and to run the mill, for which service he was to receive a stated compensation. They also agreed, verbally, that if California remained a Mexican possession at the end of the war, Sutter, being a citizen of Mexico, should own the mill site, but Marshall should still retain rights to mill privileges and the cutting of timber. On the other hand, if California were ceded to the United States, Marshall, as an American citizen, should be the owner of the property. The formal articles of partnership were drawn up by General John Bidwell, then a clerk in Sutter's store, and witnessed by Bidwell and Samuel Kyburz, Sutter's business manager, who, at the time of his death, many years later, was the oldest pioneer in El Dorado county.

Peter L. Wimmer, with his family, and six or seven mill-hands, were hired by Marshall; and with several wagon loads of material, provisions, tools

and other necessities, the party started for Coloma. The building of the mill was begun without delay and the work proceeded rapidly.

Besides Peter L. Wimmer, the following men were in Marshall's employ: William Scott, James Bargee, Alexander Stephens, Jas. Brown, William Johnson and Henry Bigler.

Wimmer had charge of eight or ten Indians, who were employed at that time in throwing out the larger stones excavated while the mill-race was being constructed, during the day. At night, the gate of the fore-bay being raised, the water entered and carried away the sand, gravel and the smaller stones.

Such were the conditions at Coloma on that momentous 24th of January, 1848*—a day marking the real beginning of a commonwealth which was destined to be the centre of civilization and of progress on the Pacific Coast of North America. In later years other and more bustling communities have crowded our humble mountain towns into the background, yet it is a matter of history that the treasure discovered in a little lumber camp among the hills of El Dorado county first drew the attention of the world to California's inexhaustible resources, its matchless harbors and the grandeur of its mountains, coasts and valleys.

That morning Marshall had gone out as usual to oversee the work. After shutting off the water he walked down the tail-race in order to as-

* January 19 is often erroneously given as the date of Marshall's discovery of gold at Coloma. However, John S. Hittell, the historian, found entries made in the diaries of Henry W. Bigler, Captain John A. Sutter and Azariah Smith, giving January 24, 1848, as the actual date of the event, thus settling the matter beyond all controversy.

certain what amount of sand and gravel had been removed during the night. This had long been a custom of his, for he believed that there were minerals in the mountains, but when he confided his ideas to his partner, Sutter had only laughed at him.

He walked to the lower end of the race and was examining the mass of debris which lay there when suddenly his attention was attracted by a small glittering object in a crevice, on a riddle of soft granite, a few inches under the water. Upon picking up the substance, he found it to be heavy and of a peculiar color. After studying it attentively for a few minutes, he concluded that the mineral was either mica, sulphurets of copper, or gold. But it was too heavy for mica. He remembered that gold is malleable and that sulphurets of copper is brittle. Placing the specimen on a flat stone, he struck it sharply with another stone. Instead of cracking or scaling off, the substance merely bent under the blow, proving conclusively to Marshall that it was gold.

We do not know whether Marshall fully realized the vast importance of his discovery. But he was a practical, unemotional sort of personage, and after showing the nugget to his men, he went about his work in the usual manner. Nevertheless, he observed closely, and in a few days had collected several ounces of the metal. Though he felt certain that it was gold, other persons were skeptical, so he resolved to take some of it down to Sutter's Fort, where it could be tested with chemicals. About four days later he had to go down there after provisions and he took three ounces of the specimens with him.

On his ride to the Fort, Marshall examined the river-banks in the hope of finding a suitable lo-

cation for a lumber yard, whither the timber from the mill could be floated. While thus occupied in exploring the country, he discovered gold in two other places—in a ravine among the foothills and also in the neighborhood now called Mormon Island.

He slept under an oak tree that night, and rode up to the Fort about nine o'clock the next morning. Dismounting from his horse, he entered Sutter's office, and after attending to the business which had brought him there, he showed Sutter his newly-found treasure.

The Captain was astonished, but he refused to believe that the specimens were gold. Whereupon Marshall asked for nitric acid, and a vaquero was sent to the gunsmith's to borrow some of the chemical. Meanwhile Sutter produced a pair of small balances, and after placing three dollars and twenty-five cents, silver—all the small change in the Fort—on one side of the scales, the dust was weighed. As Marshall had foreseen, the specimens out-weighed the silver. Sutter's skepticism began to fade, and a subsequent test with nitric acid removed all doubts as to the value of Marshall's discovery.

The wide-spread excitement which ensued is without a parallel in the world's history. From every quarter of the globe men started for the new "El Dorado." Many came by boat, over the long, tedious, and often dangerous, route around Cape Horn; others chose the shorter and safer trip by way of the Isthmus of Panama; while still others, probably the majority, rode horse-back or mule-back or in big "prairie schooners" across "the plains", where they were hourly exposed to sudden attacks from savage Indians, and where

they frequently encountered the even more dreaded peril of starvation. Many a whitened skeleton, of man and of beast, found afterward on every overland trail, bore awful testimony to that mad lust for gold which led men to sever all the ties of kindred and to brave hardships which under any other circumstances would have seemed unendurable. But such was the pioneer spirit, the force behind all of California's greatness, and which seems to gain added strength from every disaster.

Yet it was not alone the desirable element of society which joined in that wild rush for the gold-fields of California. Almost every type of humanity, from the highest to the lowest, was represented in that remarkable exodus. The slums and haunts of vice of every large city in the world contributed a contingent of libertines and criminals. It was this infusion of the scum of mankind into our mining-camps which produced conditions necessitating the adoption of the stern repressive measures of "vigilance committees" during the earlier years of the State's history. And even today, throughout the Pacific Coast states, the evil effects of that indiscriminate mingling of men of all sorts in those careless times is plainly manifested in the leniency with which the majority of Far Western people are disposed to regard the frequent indulgence of many young persons in various forms of debauchery.

With the rapid inrush of the gold-seekers and the consequent growth of business, naturally cities arose. San Francisco and Sacramento, built of tents and wooden shanties, became the principal shipping points for the mines. To these towns, also, many miners went at intervals to

squander their wealth in gambling and other dissipations. Money came so easily in those golden days that comparatively few men gave any thought to the future. Innumerable fortunes were made only to be wasted in riotous and extravagant living.

It was to be expected that crime would result from such conditions, particularly in the cities. Sundry bands of roughs and desperadoes were early organized for the purpose of preying upon earnings of industrious neighbors. One such gang styled "The Hounds," came under Marshall's observation in a strange manner.

In October, 1848, Marshall had gone out on a prospecting expedition and had encamped one night in a ravine, Johntown creek, between Garden Valley and Alabama Flat, some three miles from Coloma. He was camping about half-way up one side of the ravine. By the time supper was eaten night had fallen.

Suddenly he was startled by a signal in the direction of the creek. Marshall answered it, and immediately the signal was repeated by some other person in the woods above him. Marshall's suspicions were aroused and he determined to investigate. He suspected that he had unwittingly fallen upon the rendezvous of a band of outlaws.

After carefully extinguishing his camp-fire and removing his provisions, he tied his horse to a near-by tree, and grasping his rifle, stole cautiously up the hill in the direction whence the last signal had come. His were the instincts of an experienced frontiersman and not a sound of breaking twig or rustling leaf betrayed his movements. Reaching the trunk of a large tree, he

was about to climb over it when the sound of someone whispering on the further side arrested his footsteps. He instantly crouched low, in a position where he could both see and hear. There were two men, and Marshall heard one of them whisper, "Who gave the signal from the middle ground?" Upon learning that the signal had evidently come from some unknown person, the men betrayed some uneasiness; but, seeing no signs of any intruder, they concluded that their ears had deceived them, so they proceeded directly with the business of their meeting.

Marshall listened intently. What he heard assured him that there was an organized band of robbers in the neighborhood and that one of these two men was their lieutenant. He heard them discuss plans for the future, saw them exchange the countersign and even recognized the lieutenant as a well-known acquaintance. The outlaws finally separated and left, and Marshall, returning to the camp, rolled himself in his blankets and slept.

Reaching Coloma, he told some friends of his discovery, but he refused to divulge the names of any of the gang, because he knew that such an action would virtually be the signing of his own death warrant.

Shortly afterwards a man named Smith of Hangtown—now Placerville—determined to raise a posse for the pursuit of the robbers. Smith was encouraged in this resolve by a French burglar, a member of the gang who had been captured and had sought to save himself by informing on his companions in evil. But Smith was deluded by the Frenchman, who succeeded in enlisting several of the outlaws

themselves in the posse, and consequently the hunt was a miserable fiasco.

Efforts were made to induce Marshall to disclose his knowledge of the leadership of the band; but Marshall, fearing for his own life, persistently declined to reveal any facts in connection with the robbers. He knew the law at that time could not protect him from the swift and certain vengeance of such a gang of cut-throats. In fact it was dangerous to mention the outlaws in public. The grocer, the saloonkeeper, the blacksmith, the very hotel-keeper who furnished him room and board might be members of the band.

Despite Marshall's caution, however, in some way the leader of the organization discovered that he had been recognized, and from that time he began to follow Marshall.

On one occasion Marshall was out alone on the trail, and finding that he was being followed, he turned abruptly, and covering the robber with a pistol, demanded an explanation of his conduct. The fellow replied, "I heard that you knew I belonged to that gang and I want to know if you intend to inform against me?"

"No," Marshall replied, "I shall attend to my own business as long as I am let alone; but if I'm to be dogged and followed about in this way I'll not answer for what I might do."

Thereupon the outlaw rejoined that if Marshall kept his promise, he would no longer be annoyed by any of the band. This ended the interview. It is but just to add that the leader of the gang kept his word. This man, Pete Raymond, had begun his career in crime by murdering an old sea captain, one Bonfisto. He himself eventual-

ly met a violent death.

Soon after his experiences with the robber chieftain, Marshall found it necessary to make a business trip to San Francisco. While there, he stayed at a hotel on Jackson street. One day in the reading room Marshall had participated in a game of euchre, but becoming tired of the play he surrendered his place to another person and seated himself beside one of the spectators. This man glanced at Marshall keenly, and unobserved by anybody else, made the signal of the mountain robbers. Marshall answered and the stranger announced that he belonged to a band in the city, called "The Hounds," which had lately joined the interior organization, of which he concluded Marshall was a member. The stranger began directly to unfold the plans of the gang. One of the schemes projected was the burning and sacking of San Francisco, which plot was to be carried into execution in three or four months. The outlaw divulged the whereabouts of the band's headquarters, and described all the new grips, pass-words and countersigns. He then departed.

Marshall was in a quandary, although he did not fully credit the robber's story. After some reflection he resolved to warn a friend who was in business near the Plaza. He induced his friend to go out of town with him, where there would be no danger of eavesdropping, and there he related all that had occurred.

The man listened attentively, and when Marshall had concluded, said,

"But you do not mean to keep this to yourself? Why do you not go and inform the authorities?"

"If anyone will guarantee me a sufficient sum to remunerate me for leaving the State within twenty-four hours, I will take the risk of revealing the plot; but as I have only one life, I must decline to commit suicide in this way. Besides, if I was to tell the authorities, in all probability they would not believe me. And even if they did, how should I know but the very men who received my communication were in league with the robbers? The risk is too great and the reward too small."

Thus spoke Marshall, and then added the suggestion that his friend himself might inform the authorities. But the other positively declined to take the responsibility.

It is not known whether "The Hounds" were actually the incendiaries; nevertheless, San Francisco was burned about the time predicted by the robber, and Marshall's friend, having been warned, succeeded in saving thirty thousand dollars from the wreck of his property.

In the fall of 1848, Sutter sold his interest in the Coloma Mills to John Winters and Alden S. Bayley for six thousand dollars. The buyers had the privilege of cutting timber for mill purposes, but the title to the land still rested in Marshall. Winters and Bayley also bought one-third of Marshall's interest for two thousand dollars, Marshall reserving the pre-emption rights, and only relinquishing the timber privilege.

It was shortly after this transaction that the immigrants of 1849 began pouring into the State. Naturally at that time Coloma was the Mecca of all eyes. In March many new-comers arrived at the little camp, and with supreme indifference to all existing laws, promptly took possession of

the land about the mill. Their provisions giving out, they seized the work oxen belonging to the mill. When pack animals were needed to carry their provisions while prospecting, they stole Marshall's horses. Such stock was valuable in those days and Marshall's loss from the raids was at least six thousand three hundred dollars. He posted and served notices that he claimed the land as an original settler; but the gold-crazed adventurers were oblivious alike to law or justice.

At this juncture there occurred an event so serious as to drive all lesser wrongs from Marshall's mind. A number of friendly Sutter Indians and several white men had been engaged by Marshall to make necessary repairs at the saw-mill. These Indians were peaceable and industrious, and Marshall, through constant fair dealing, had gained considerable influence over them and their tribe. A party of seven men, lately arrived from Oregon, went out on a prospecting trip up the North Fork of the American river, and at a point above the junction of the North and Middle Forks they came upon a large rancheria. As there was good pasturage round about, they determined to camp there and allow their horses to rest. After eating a luncheon and staking out their horses, they proceeded to the rancheria, and finding a number of Indian women there, attempted improper familiarity with them. The squaws remonstrated loudly and their cries brought some of the bucks hurrying to the scene. The Indians attempting to prevent an outrage, the white men drew their revolvers and deliberately shot down three of the bucks. Then they rode to Murderer's Bar, on the Middle Fork, three or four miles above the junction. From here two of the men started out

to prospect, leaving their companions in camp. After a day or two the prospectors returned and found that their partners had moved. Following up the trail, the two men reached the new camp, only to learn that the entire party had been killed by the Indians.

The two survivors immediately departed for Coloma, and upon reaching that place related their story and began raising a posse wherewith to wreak vengeance upon the Indians who had simply punished uncalled-for murder with murder which was at least excusable.

Several members of the notorious gang of "Mountain Hounds" were in Coloma at this time and they now saw their opportunity of revenging themselves upon the friendly Indians, one of whom they suspected of having shadowed their band and revealed his discoveries to Marshall. Accordingly the outlaws joined the citizens and persuaded some of them to indulge in a social drink before starting in pursuit of the murderers. As soon as the majority of the men were sufficiently intoxicated to be influenced easily, it was suggested that they seize the Indians at the mill and punish them. In a few moments the mill was surrounded by a mob of drunken men, all fully armed, and threatening vengeance on the Indians. Before this, members of "The Hounds" had notified several of the Sutter tribe that Marshall desired to see them, and an unusually large number of Indians were gathered at the mill when the attack was made.

Marshall did his best to avert the proposed outrage, but the drunken horde were deaf to all appeals to judgment and humanity. The leaders stated that they simply wanted to make prisoners of the Indians; but after the Indians were secured

the men began drinking again, and under the combined influence of bad whiskey and worse human passions, they were worked into a frenzy and commenced an indiscriminate slaughter of their helpless captives.

With all the energy at his command, Marshall strove to save the lives of his men. He demanded a fair trial and bitterly denounced the conduct of the mob. Finding his arguments of no avail, he called around him a few reliable white men and told them he would defend the mill and its inmates with his rifle if they would assist him.

His friends knew that resistance would be futile in the face of such odds, and they urged him to save himself, as his bold denunciation of the brutal and cowardly assailants had already elicited from them dire threats against his own life.

But Marshall, being inured to danger, was not easily daunted. He would have persisted in his heroic defense had not his friends provided him with a horse and forced him to mount it and leave the settlement without delay.

Eight harmless Indians were deliberately murdered on this occasion by a mob of scoundrels belonging to that vastly superior and highly-civilized white race. And there was absolutely no justification for the deed. Marshall's Indians were constantly employed at the saw-mill in Coloma and it is an assured fact that they were not near Murderer's Bar when the five guilty prospectors were forced to give their own lives in payment for the lives of the three Indians murdered at the rancheria. Besides, the Indians at the mill belonged to a different tribe from those who did the killing at Murderer's Bar.

In view of these facts, and those of similar

outrages in which the white men were the aggressors, can we wonder that a few of the California Indians afterward indulged occasionally in bloody reprisals upon these domineering Caucasians?

So strong was the miners' hostility against Marshall, that it was some time before he dared to return to Coloma. In using Marshall's name to bring the Indians into the mill on that fatal day, "The Hounds" had also succeeded in making the peaceable red men believe that Marshall was concerned in the massacre.

When, finally, Marshall ventured to go back to his old house, he found that the squatters had surveyed the ground about the sawmill, divided it into town lots, and distributed it among themselves, utterly ignoring the actual owner.

Hardly had Marshall become settled before he was subjected to another form of persecution. By some strange process of reasoning, the miners had conceived the idea that, as Marshall was the discoverer of gold, he knew where all that precious metal could be found, but that he would not reveal the "open sesame" which must uncover the hidden treasure. Accordingly, whenever he went out of town he was followed by crowds of men, anxious to find the secret diggings which they imagined he was going to visit. In Coloma his every movement was watched. He was asked innumerable questions. Many persons even made threats in order to secure the valuable knowledge which they felt he possessed.

In vain did Marshall strive to convince his tormentors that he knew no more about the location of valuable mines than they did. The more

he tried to reason with the men, the stronger their suspicions grew, until finally there came a day when the whole senseless persecution just escaped ending in a tragedy.

Whether it was their foolish brooding over imaginary wrongs, or the imbibing of an unusual amount of whiskey, or both together, that brought on the crisis, we do not know. At any rate, the miners arose in a body, and evidently devoid of all reason, started after Marshall, intending to give him the alternative of disclosing the location of the rich diggings, or of being taken out of town and hanged to the first convenient tree. Undoubtedly they would have accomplished their dastardly project had not a partner of Marshall's, Mr. John Winters, hearing of the plot, taken steps to engage the mob's attention, and succeeded in smuggling the intended victim away, directing him to a roadside thicket, where a fleet horse awaited him. It was nearly six months before Marshall ventured to return, and it was some years afterward before this foolish persecution finally ceased.

At this time the mill business began rapidly to decline. After Marshall's partners had got out the lumber for Sutter's flour mill at Brighton, the rush became so great and the excitement grew so high that it was practically impossible to get work done. Then expensive litigation, arising from the action of the squatters, and the cost of running the mill—daily wages being sixteen dollars per hand—shattered the enterprise, and the mill was closed. And this was not the end; for the very men who had stolen the ground, the cattle and the horses owned by Marshall and his partners, now deliberately appropriated the tim-

bers of the mill to frame shafts and tunnels with, dismantled the entire building, and destroyed the mill; while the proprietors never received even a modicum of recompense for all this damage.

An idea of the high cost of living in California at this time—1849—can be gained from the sub-joined items taken from books which were kept at Sutter's Fort in Sacramento:

3 lbs. of Crackers	\$3 00
1 barrel Mess Pork.....	210 00
2 lbs Mackerel.....	5 00
1 bottle Lemon Syrup.....	6 00
1 bottle Pickles.....	7 00
13 lbs Ham	27 00
30 lbs. Sugar	18 00
1 canister of Tea.....	13 00
1 keg of Lard	70 50
1 lb. Butter.....	2 50
50 lbs. Beans	25 00
200 lbs. Flour.....	150 00
13 lbs Salmon.....	13 00
1 bottle Ale.....	5 00
1 pair of Blankets.....	24 00
1 Hickory Shirt.....	5 00
2 White Shirts	40 00
1 pair Shoes.....	14 00
1 Hat.....	10 00
1 Candle.....	3 00
1 Fine-Tooth Comb.....	6 00
1 Paper Tacks.....	3 00
4 lbs Nails.....	3 00
1 lb Powder.....	10 00
1 Colt's Revolver.....	75 00

As most supplies used in Coloma during 1849 were purchased at Sutter's Fort, the reader can

readily understand why wages were so high and business enterprises so uncertain in that community.

Marshall returned to Coloma only to find his possessions scattered and his land occupied by men who scoffed at his claims. Though an experienced frontiersman, he had none of the business instinct necessary to cope with unscrupulous men of the world. Consequently he was continually imposed upon wherever he sojourned in El Dorado county. His credibility and lack of combativeness proved his undoing.

It would have been natural to expect that a sentiment of gratitude, if no other feeling, toward the man who had done so much for California, would have deterred most persons from interfering with the discoverer's private mining operations. But the reverse of this was true. Time after time was Marshall driven from his gravel claims by bands of cowardly miscreants who recognized no law but that of brute force. But despite the constant injustice done him, El Dorado's best-known pioneer always retained his inherent kindliness of heart. The following incident well illustrates that part of his nature:

In the summer of 1849, during an expedition between the Middle and South Forks of the Yuba river, northwest of El Dorado county, he came one day upon a man lying beside the trail, apparently almost dead. Marshall halted, and after giving some refreshment to the sufferer, learned that his name was Jack Abbott. He had been out prospecting with several other persons, but he had been taken ill, and his inhuman companions had left him to die.

Having revived Abbot, Marshall lifted him

upon his own horse, and walking alongside, took him to his camp. By careful nursing and the use of simple Indian remedies, such as his experience with the aborigines had taught him to apply, he soon had the man convalescent. He told Marshall that he was a member of a good New York family and that he had wealthy friends; but he had fallen into evil ways and had been sent to California in the hope that a term of frontier life would have a salutary effect.

As Abbot became stronger, he was allowed to take daily rides on Marshall's horse. And when his health was nearly restored, Marshall suggested to him one day that he was now able to do light work and that he had better begin the next morning. Abbot consented, and mounting for his usual ride, started off. Neither the rider, nor the horse, saddle or bridle, were ever seen by Marshall again. This incident cut Marshall to the quick. An act of such apparent ingratitude must needs shake his faith in human nature.

Some time afterward Marshall met one of Abbott's friends in San Francisco. Upon hearing of Abbott's disappearance, the man volunteered the opinion that in all probability his friend had fallen a victim to some accident. As a good reason for this belief, the stranger related that a few months after Abbott's disappearance the skeletons of a man and a horse—one sitting on the ground and the other tied to a nearby tree—had been discovered in a wood not far from Marshall's camp. But Marshall listened incredulously and he always believed that the skeleton story was a pure fabrication, invented by Abbott's friend.

In direct contrast to the foregoing narrative was an amusing experience of Marshall's during

the winter of 1849.

A lawyer named Robinson—later a participant in the Lecompton riots in Kansas—had squatted upon a forty-acre lot owned by Sutter and situated on the low, marshy ground now occupied by the city of Sacramento. Meeting Marshall one day, Robinson offered to sell him a portion of the land. But Marshall replied,

“What title have you got to the land?”

“Oh, that’s all right,” said Robinson. “It’s only necessary to have it surveyed and recorded.”

“Humph!” Marshall rejoined contemptuously, “have you got no other title?”

“Other title!” Robinson repeated sharply. “No, sir! No other title is necessary.”

“Well,” said Marshall, “if I wanted to buy, I should prefer Sutter’s title. But now tell me, how long do you expect to be able to maintain your present position?”

“Maintain it indeed!” the other cried angrily. “I should like to see the power that would oust me!”

“Well,” Marshall said quietly, “what force have you got?”

“I can bring fifty men to back me in a few hours,” asserted Robinson.

“Is that all the force you can secure,” asked Marshall.

“No, sir, it is not,” the squatter retorted. “In three days I can muster five hundred rifles to support my claims!”

“Is that all you can do?” said Marshall, with exasperating insistence.

“Yes, sir!” Robinson cried frantically, “and enough, too! I’d like to see Sutter, or anybody else, turn me off this land!”

“Well, sir,” said Marshall with a subdued

chuckle, "it ain't no kind o' use. I'll bet you anything you like that you'll be driven off this lot in less than two months."

The squatter was furious, and vauntingly told of what he would do to anyone who tried to dispossess him. Marshall turned away, laughing.

In less than two months the river rose suddenly, and in a few hours Robinson's stolen land was several feet under water; and as the frightened squatter paddled his canoe vigorously for the high ground, a man on the bank cried,

"Aha! Marshall was right, after all!"

Then the discomfited Robinson realized what the power was which not even five hundred armed men could resist.

In the following summer Marshall went up Antoine Canyon, close to the head of the North Branch of the Middle Fork of the American river, and began mining there. Shortly afterward occurred one of the most tragic experiences in all his career.

Crime was rife in California in those wild days but the tragedy narrated below is unique in its horribleness.

Before Marshall had worked long in Antoine Canyon, a great excitement was created by the arrival of a party of Ohio men, who brought a large quantity of gold which they claimed to have taken from a neighboring creek, the locality of which they refused to reveal. Later several parties were raised to search for the supposed bonanza, which was named the "Ohio Diggings" in honor of the alleged discoverers. Five or six bands started out in various directions, but all returned in a short time, weary and discouraged. Then Marshall was prevailed upon

to join a new party. They spent several weeks in the mountains, searching carefully and patiently, but without avail. At last, their supplies giving out, they were compelled to turn homeward. Arriving at a point between the north and middle branches of the Middle Fork, they began to follow what appeared to be an old Indian trail, evidently long disused. The ascent here was rough and difficult. Suddenly, around a sharp turn where the path skirted an outcropping, rocky bluff, they came upon a small, level opening, so darkened by encircling trees as to give the appearance of dim twilight. A pleasant little stream of water ran along the centre of the dell, and the grass all around was green and luxuriant. "A good place to camp," thought Marshall, who was riding ahead. Coming so abruptly from the bright light into that semi-darkness, at first his eyes could distinguish nothing clearly. But by the time he had reached the spring and dismounted, his vision was as keen as ever. He looked about him and for a moment his heart quailed at the horror of the thing he saw.

A few yards distant lay the skeletons of a horse and mule, the back of one bearing a Spanish saddle, and a packsaddle lying upon the bones of the other. Near at hand was a human skeleton, evidently that of a Spaniard, as a pair of trousers with leather stripes down the sides was still on the body. A shout from one of Marshall's companions announced further revelations. A second skeleton had been found some distance from the first. Both showed evidence of foul play. In the first, a bullet hole was discovered in the skull, while the other had a wound in the breast. A

third skeleton was found, its position indicating that the man had been struck from behind while in the act of leaping over a log, for when found one foot was caught on the log and the body was bent backward over it.

Examination of the wounds, taken in conjunction with the evident occupation of the victims, proved conclusively to Marshall and his companions that white men had done this evil deed and that the motive of the crime had been robbery. After the excitement occasioned by these discoveries had subsided, the men fell to discussing the matter. Then Marshall, who had continued to examine the remains intently and quietly, stepped in front of his comrades, and raising his hand to gain their attention, announced,

“Boys, we have struck the Ohio Diggings!”

Startled, the men looked at one another in a puzzled manner, and then, turning to Marshall, demanded his meaning. He replied, in substance, as follows:

Previous to this, three Spaniards, who were engaged in mining, found a rich crevice on Van Fleet creek, which adjoined and ran parallel with Antoine creek. They always bought supplies from a trader named James Williams, who lived between the two creeks. Thus it was natural that they invariably placed their earnings in Williams' care, as they feared such treasure would be unsafe in their unprotected cabin. Frequently they came to the store, depositing gold, returning with provisions, until finally seventy-five pounds of the precious metal had accumulated. Then Williams, wishing to move his business to some other mining district, sent word to the Spaniards to come and take away their gold.

In nearly all early mining camps there were to be found some disreputable persons who rarely worked, and who were constantly on the lookout for an opportunity to plunder the unwary of their hard-earned wealth. Several men of this description were habitually loafing about Williams' store feigning to be engaged in prospecting, but in reality spending their time in card playing and drinking. These persons had watched the Spaniards closely at various times, and had said frequently that they intended to learn where the Spaniards dug their gold. Accordingly, on the day when the partners were to remove their treasure, little attention was paid to the remark of one of the loafers that they would follow them and discover their diggings. The Spaniards came and departed and no mortal eyes save those of the cowardly assassins beheld the tragedy enacted in that lonely glen.

Afterward the murderers had gone into Bird's Valley with their ill-gotten gain and related the story of the secret diggings which had caused such great excitement and set scores of men to chasing a will-o'-the-wisp over the foot-hills.

Marshall was right. This spot was indeed the "Ohio Diggings", as these grim and ghastly images of the former owners dumbly testified.

It is a sad commentary upon those lawless days that there is no record of any punishment's being meted out to the perpetrators of this most atrocious crime.

A few extracts from the minutes of the Tenth District Court, as it appeared in session at Coloma during the summer of 1850, will give the reader some conception of the lax administration of justice in the courts of early California. On

page 102 of "Book A," the following record appears:

"Our action has been embarrassed by inability to obtain the attendance of witnesses in criminal suits, and an apathy on the part of the people to come forward and prefer charges for investigation. We are unable to account for this indifference, unless we attribute it to the transient character of the citizens and their unwillingness to abandon their daily pursuits, or to their want of confidence in the officers of the law and the certainty of public justice being administered. We cannot but think that the charge recently made of the impotency of the laws is unjust in its bearing. That lies with the people, and not with the Government."

Whether or not the citizens had reason for their "want of confidence in the officers of the law," the reader may judge from the subjoined quotation from the minutes of a typical case. This was an action on the part of Marshall's partner, Winters, to collect a debt:

"JOHN WINTERS ET. AL. VS. ARNOLD THELHOVER.

"On motion of counsel, it is ordered by the Court that a venire issue to the Coroner to summon a jury of six good and discreet electors to serve as jurors to try this cause. Now comes the Coroner and returns into Court the following jurors:"—here follow the names—"On motion of plaintiff's attorney for leave to withdraw his account, that was assigned to them, motion sustained. It was, therefore, ordered by the Court that leave be granted, and after the jury being duly sworn and the cause submitted to them, after hearing the evidence in the cause,

retired to their room, made up their verdict for plaintiff for the sum of two thousand, fifty-nine dollars and seventy-five cents. It is ordered by the Court that judgment go *against* the plaintiff for a like sum. It is further ordered that the jurors be allowed three dollars each."

At this period J.S. Thomas was District Judge, and Colonel William Rogers—of Indian war fame (?)—was Sheriff of the county.

Shortly after the foregoing case was tried, a shameless, though very amusing, trial occurred in Placerville, which town had meanwhile become the county-seat.

A miner had been charged with assault upon a man who had endeavored to jump his claim. The trial of the defendant was begun at eleven o'clock at night, and the Judge, in the kindness of his heart, varied the monotony of the proceedings by adjourning the court every few minutes, in order to visit a saloon. The Judge, Sheriff, deputies, prosecutor, counsel, prisoner, witnesses and jury would go out in a body and joyfully drink one another's health at the adjacent bar. As a result of these convivial intermissions, five o'clock the next morning found maudlin lawyers addressing a much befuddled jury, on behalf of equally intoxicated clients. An inebriated Judge having delivered a remarkable charge, a verdict of acquittal was rendered by the jury. Thereupon the Judge reeled from the Bench and approaching the defendant, congratulated him warmly, and remarked with fervor that he hoped that he had "hit the prosecutor an awful lick."

At another time, when an attempt had been made to jump a claim, a Justice of the Peace is-

sued repeated injunctions, *restraining the lawful owners from working their ground*, and as they paid no attention, he fined them again and again. But when the Sheriff appeared on the ground to enforce the Court's order, he was confronted by an array of revolvers that effectually quenched his official eagerness. Afterward the owner of the claim went before the Justice and told his Honor that he had better withdraw the injunctions and remit the fines, or there might be trouble; and that gentleman, realizing the significance of the remark, promptly consented.

From these instances, it will be seen that poor or weak plaintiffs had very little chance of obtaining justice in the courts. It was small wonder that Marshall, mild and yielding in disposition, saw all his most valuable claims stolen from him one by one in those days when the proceedings of our tribunals were often a laughing stock, and when the menace of a rifle, a revolver or the hangman's noose was the most frequent arbiter.

For several years Marshall followed a wandering life, and upon returning to Coloma bought the ground whereon his cabin and monument now stand. Here he prospered for some time in the grape-raising industry. In 1862 his old cabin was destroyed by fire, and the present cabin was erected in its place.

It was perhaps natural that a person of Marshall's easy, sociable disposition should become addicted to that besetting sin of many Californians, the love of tippling—a weakness which eventually wrecked his life as it has likewise ruined the careers of a myriad of other Americans.

During 1869 and 1870 Marshall made two lec-

turing tours, which proved successful financially so long as he avoided the barrooms.

His latest years were spent mostly at Kelsey—now called Slatington—an old-time mining camp about six miles from Coloma. The Legislature of California appropriated the following pensions for Marshall's support, in recognition of his services to the State:

Feb. 2, 1872, \$200 per month for two years.

Mar. 23, 1874, \$100 per month for two years.

April 1, 1876, \$50 per month for two years.

But these large appropriations turned out to be a curse instead of a blessing. Marshall in his free-hearted manner, scattered money indiscriminately among friends and parasites, and indulged his fondness for spirituous liquors until he became nothing more than a common drunkard, unfit for success in any occupation. But even these facts did not warrant the Legislature in cutting off all further appropriations. Whatever his faults, James W. Marshall was the real discoverer of gold in California, as attested by the sworn affidavits of Samuel Kyburz and other well-known pioneers; and for that reason alone the State should have given him, until death, a pension sufficient to keep him in comfort.

But no stronger argument could be made against the liquor evil than the mere spectacle of this honest, kind-hearted man—whose discovery had given us a commonwealth, and who had within him so much of true nobility—yielding to a degrading appetite, and in consequence spending his declining years in poverty and shame.

When the end came, in 1885, there had been no warning of death's approach. In the afternoon of a summer day, Marshall, sitting upon his

front porch with some neighbors, pointed to some dying plum trees and said, "That's the way I feel, part dead and part alive. That's the way we all will go, one by one."

As he felt unwell, he took a dose of physic at bedtime. In the morning, his partner, Hill, hearing his friend stirring, asked him if he had heard the noises in the upper part of the house during the night. Marshall replied that he had, and that the disturbance was caused by the rats in the garret. Hill then went out rabbit-hunting, and, upon his return, began to prepare breakfast. Soon after he spoke to Marshall, who was lying dressed upon the bed, his hat pushed down over his eyes, and his right arm and leg hanging down, the leg touching the floor. Receiving no answer, Hill touched his partner, and finding him motionless, hurried in alarm to the door and called to Mr. Sipp and Tom Allen, two of his neighbors, and told them something was the matter with Marshall.

They immediately ran over, and Mr. Sipp, putting his hand on Marshall's breast, found that the heart had stopped beating, yet the warmth still remaining in the body indicated that life had been extinct only a few moments.

Death had come from natural causes, and not from starvation, as some have asserted. There was an ample supply of provisions in the cabin.

Thus died James Wilson Marshall, on the tenth day of August, 1885, at the age of 74 years and 10 months. He was buried in Coloma, on a hill-side overlooking the site of his world-renowned discovery. Placerville Parlor No. 9, Native Sons of the Golden West, initiated a movement to erect a monument to mark the resting-place and



MARSHALL MONUMENT.

Photo by Charles Elmer Upton.

commemorate the services of our only pioneer whose fame is international. On May 3, 1890, the monument was unveiled in the presence of a vast concourse of other pioneers and native sons and daughters of the new California.

That James W. Marshall made little of his opportunities, all must admit; some persons have cynically remarked that a whiskey bottle best typifies his life. If that sentiment be true of him, then a carved representation of a liquor flask would likewise be a most fitting decoration on the tombstones of innumerable tenants of our cities of the dead, on the graves of men slain by drink, but who were consigned to earth amid pompous rites and eulogized in fulsome newspaper articles.

And when all the evil has been said, as evil may truly be told in some degree of every human being, the fact remains that every Californian, whatever his personal bias, owes an inestimable debt of gratitude to the memory of James Wilson Marshall.

II.

MATHIAS LAUBER,

WITH GENERAL KEARNEY IN '46.

Alsace, France, January 6, 1823.

That was the place and the date of Mathias Lauber's birth. Little is known of his life during the few years spent in that primitive corner of early France. But in May, 1830, the family embarked for the United States. Reaching the city of New York, they took steamer for Albany, and from there journeyed along the Erie canal to Buffalo, then a small village. Here they halted and the father, buying land near Lake Erie, went to work.

Nearly twelve years later, Mathias Lauber, a lad of nineteen, eager for a larger view of the world, broke away from home ties and went to the new and growing settlement of Milwaukee.

Here he worked for fifty cents a day and board, at helping fill in swamps to make ground—"water lots"—whereon houses could be built. In harvest time he secured a job on a farm some twenty miles away from town. At the season's close he was paid in "wildcat paper" money, the only currency to be had. Leaving Milwaukee, he traveled to Cleveland, thence to Massillon, and finally to Canton, Ohio, where an uncle lived.

The young man's roving propensities were still unsatisfied. In 1844, he enlisted in Company C, First Dragoons, of General Kearney's forces, then at St. Louis; was sent, with four or five hundred other recruits, to Jefferson Barracks; thence up the Missouri river to Fort Leavenworth, Kansas, where they were formed into companies at headquarters and were compelled to drill twice a day. In 1845, when Colonel Fremont was commissioned by the government to find a pass to Oregon, Kearney was sent to South Pass, in the Rocky Mountains, where he made a treaty with the Indians and gave them presents, in order to secure all white settlers against molestation from the impetuous red men. Soon after began Kearney's long, tedious expedition through the Southwest to California. At the Rio Grande river Kit Carson, the famous scout, was attached to the General's forces as a guide, for the topography of the great Southwest was an open book to Carson.

It was an arduous journey, long to be remembered. Provisions gave out, clothing became rags, and the troops reached Southern California hungry, barefoot and all but discouraged. Their horses and pack-animals had starved to death on the deserts, so that for many miles the men

had been compelled to struggle on afoot with their burdens. After reaching San Diego, they lived solely upon beef until the arrival of a schooner of provisions, some two or three weeks later. They remained in San Diego about five weeks, until they were fitted out for another journey, and then they started for Los Angeles.

Meanwhile the Bear Flag war had begun. In the summer of 1846 the several hundred American settlers on the rich farming lands of the Sacramento valley heard that Castro, the Mexican commander of the territory, was coming from Monterey with a large armed force, for the purpose of driving all Americans out of Northern California and confiscating their property. Accordingly, many of the settlers gathered at Fremont's camp near the Marysville Buttes. A number of these Americans captured a large band of horses owned by the Mexican government; then, considering that this offense necessitated further warlike measures, the settlers determined to attack the Sonoma military post, capture its commandant, M. G. Vallejo [vahl-ya-ho] and defy the Mexican government. Accordingly, a body of men, led first by Merritt, and afterward by William B. Ide, took possession of Sonoma June 14, 1846, sent Vallejo and two others as prisoners to Sutter's Fort, and thus put an end to Mexican rule in Sonoma; while Ide completed the revolution by issuing a proclamation of independence. They named their newly-acquired possession the "California Republic" and put the name, in large letters, on a flag of coarse, white cotton cloth with a strip of red flannel sewed along the lower edge, and with a large star and a figure supposed to represent a grizzly bear

painted in red near the upper edge. Thus the "Bear Flag Nation," comprising only a few dozen men, claimed to succeed Mexican authority in California. A few days afterward Colonel Fremont secured control of the infant "nation". Early in July news came of the outbreak of the Mexican War. The Bear Flag was pulled down, and the Stars and Stripes were substituted.

United States naval commanders on the Pacific had been ordered to seize all Californian ports as soon as possible after war began. Commodore Sloat sailed up the coast from Mexico and, on July 7, 1846, raised the American flag over the old custom-house in Monterey, where the Mexican banner had long floated. By the end of a week the American colors were also flying at San Francisco and at Sutter's Fort, in the Sacramento valley. Within a little more than a year's time, during which an uprising of Mexicans in Southern California had been put down by Fremont and Commodore Stockton, all of the territory from Oregon to Lower California was in control of the American forces. There had been no hard fighting, and probably not more than seventy men on both sides were killed in California during the entire war. The treaty of peace, in 1848, confirmed the title of the United States to all of the conquered territory, and the inglorious Mexican war thus ended profitably, but with little honor for the invading Americans.

General Kearney had co-operated with Commodore Stockton in the Southern California campaign, and our private, Mathias Lauber, had the opportunity of seeing some light skirmishing, though nothing occurred which could properly be termed a battle. Commodore Stockton had land-

ed with four or five hundred sailors and marines and two field-pieces, and together with General Kearney and his forces, had marched toward Los Angeles.

They stopped for two days at Mission San Luis Rey, where some of the men went foraging, broke into a wine cellar, finding therein some large casks of native wine, and promptly helped themselves to the liquor, carrying it away in canteens and various camp utensils. Kearney, his curiosity aroused by the busy stragglers going and coming upon their unholy errands, despatched an orderly to make investigations. The orderly went, reported to his chief, whereupon a sentry was placed at the cellar's entrance and strict orders were given that each man be allowed a pint of wine daily, and no more.

The expedition again moved forward. But at the San Gabriel river they encountered a force of Mexicans, who, cannonading from the opposite bank, delayed the Americans for a brief period; but no one was killed though some of Kearney's men were injured by the dropping of large boughs, cut from the trees by the hurtling balls. Kearney finally succeeded in getting his cannon across the stream, notwithstanding the fact that the river-bed was filled with quicksand, and the men, wading up to their knees in the treacherous bottom, were compelled to help the mules drag the heavy guns.

But when all were safely landed on the other shore, it was the work of a few minutes to unlimber the cannon. A gun having been wheeled into place, Kearney himself aimed it at the foe, and the shot dismounted one of the Mexicans' cannon and killed several of the enemy besides,

Then, at word of command, the Americans charged at double-quick time upon their assailants, who fled in confusion, leaving everything behind them. The victors camped on the "battle-ground" that night, and the next day marched on to Los Angeles.

The Mexican commandant in that garrison, hearing of Kearney's arrival, sent word, under a flag of truce, that if the Americans would promise to destroy no property he would surrender the town. On January 8, 1847, Kearney's forces marched into Los Angeles and soon the American flag was flying from the fort upon the hill.

It was but a short time after these occurrences that Mathias Lauber, among others, received his discharge from the company. He went up to San Francisco, where he was employed for a brief period by a class of men engaged in a very disreputable traffic. Finding the work very distasteful, he gave up his job and started for the gold-fields. His first stopping-place was Big Bar, on the Middle Fork of the American river, in the southern portion of Placer county. Here he prospected. No mining pans were to be had, but the prospectors used large wooden bowls imported from Mexico. Lauber and his friends worked at Big Bar until Christmas, when, their stock of provisions being low, they decided not to run the risk of wintering there lest a heavy snowfall should come and cut them off from the outer world. Accordingly they came out past Georgetown and Kelsey, then merely villages of tents, and reached Coloma, where they found merchants with ample supplies of all necessities, though rated at exorbitant prices. Lauber's party bought what they needed and went back to Kel-

sey, where they mined till the spring of 1849, when they returned to their old camp on Big Bar. Not long after this Mathias Lauber witnessed a scene which even the passing of many years has not effaced from his memory.

A party of New England men, who had set sail from Boston, coming to California by way of the Straits of Magellan instead of the usual ocean route, in the course of time had reached Placer county. Wishing to prospect on Big Bar, they journeyed past Auburn Junction and struck the trail leading to the former camp. At one place on the ridge opposite Lauber's claim an immense landslide had occurred at some long-forgotten hour, leaving an abrupt, slippery descent of many feet of earth, shorn of vegetation, clear to the river's edge. Coming along the hill at this point one evening, the leader of the Bostonians, attracted by the flickering light in the camp below, inadvertently stepped off the path and in a trice was sliding at a terrific rate down that fearful slope. The cries of the hapless stranger and the sound of rattling pebbles aroused Lauber's party just an instant before the victim, with a resounding splash, fell into the water. Our friends brought him across the river and did all in their power to relieve his distress, which appeared to be mental rather than bodily. Physically, he seemed unhurt; but he was wild from fright. Within twenty-four hours his hair had turned grey and a few days later death ended his sufferings.

During the summer and fall of 1849, Jewish peddlers frequently came into the foothills with merchandise to sell to the Americans and the Indians. Their goods were usually strapped

across their backs, while the necessary provisions were carried on mules. These peddlers, like most of their countrymen, were expert tradesmen. Reaching a settlement, they would pitch their camp and immediately set out a tempting display of their wares, consisting, as a rule, of gaudy-colored shirts, socks, cheap jewelry and similar articles. A blue or red shirt would sell for at least half an ounce of gold dust and the Jewish trader would invariably get the better part of the bargain, as the settlers had no means of weighing their gold. The peddler would put the desired article of purchase in one side of his scale and insist upon the buyer's pouring sufficient gold-dust into the other side to balance the goods. But, while the Americans were invariably cheated in all these transactions, it was the poor, ignorant Indians who suffered the worst in their dealings with those rascally traffickers. Doubtless my readers can readily understand how so many of these self-same Jews afterward became wealthy and prominent merchants in various California towns.

The "packers" were the main dependence of Californians in those early days. These "packers" were men of means, and usually Americans, who made regular trips into the mining regions, carrying on mule-back extensive stocks of provisions and other necessities, as well as some unnecessary, though very welcome articles, such as whiskey and similar intoxicants. Generally they sold honest goods, and, considering the great cost of transportation from the East, their prices were reasonable.

In the summer following the Big Bar tragedy, there occurred what is popularly known as "Bill

Rogers' Indian War." Four miners, crossing the mountains on their way from Placerville to a neighboring camp, came across an Indian, accompanied by his squaw. One of the miners attempting violence to the woman, the Indian defended his spouse, whereupon the miner drew his revolver and deliberately murdered the buck.

Now, the Indians had been made believe that they could obtain redress from the nearest magistrate whenever they were molested by the whites. Being foolish enough to trust their new masters, they accordingly made complaint. Of course no notice was taken of their petition. They waited in vain for the murderer to be punished; then, finally taking the law into their own hands, they attacked a party of three miners, killing two of them.

Hearing of the death of their comrades, other miners in the county insisted that swift and drastic punishment be meted out to the offenders. Colonel William Rogers, then Sheriff of El Dorado county, immediately began to raise a force to attack the Indians. The so-called war which followed consisted mainly in the murdering of peaceable Indians and old squaws and the storming of deserted rancherias. The two incidents narrated below are typical examples of the whole wretched affair.

A party of men, fully armed, and led by Major McKinney, rode out one day in search of Indians. As they were riding along a mountain trail, they beheld a peaceable Indian on horseback a short distance ahead. With a wild yell the white ruffians immediately started in pursuit of the unoffending red man. At this the Indian spurred

his horse, but finding his pursuers gaining on him, he jumped from his horse and began running at his utmost speed. As the trail was rocky and difficult for the horsemen, the Indian seemed at first likely to escape; but Major McKinney, who rode a swifter steed than his men, finally overtook the fugitive, who, finding himself at bay, turned and fitted an arrow to his bow. Then as the Major, bending forward, discharged the contents of his gun into the Indian's body, the dying man sent his arrow up to the feather in the breast of his cowardly assailant, killing him almost instantly. Major McKinney's friends, instead of hanging him in effigy for his part in this disgraceful affair, honored him with a costly and imposing funeral.

Colonel William Rogers, at the head of eighty men, all armed to the teeth, proceeded one day to storm an Indian rancheria—not a very difficult feat, considering that the only occupants of the place were a blind, helpless old squaw and four half-starved Indian dogs. The doughty heroes (?) did not hesitate an instant, but promptly killed them all, and later rode triumphantly into Kelsey, the bleeding scalp of the blind squaw decorating the Colonel's bridle. It was this brave deed which gave rise to the name, "Bill Rogers' Indian War."

But our gallant soldiers once made the mistake of attacking a village when the Indians were at home, and a desperate fight ensued, in which the bucks, contending with bow and arrow against the powder and ball of their enemies, were quickly slain; while the squaws were spared temporarily for their highly-civilized conquerors to amuse themselves with, then they were sub-

jected to the same fate as their male partners had been.

This "war," which accomplished nothing, cost the State of California three hundred thousand dollars, and many people have been so skeptical as to doubt that the whole of this sum went for military operations against the Indians, or in ministering to the wounded.

Despite the prevalent ruffianism of those days, there was still much of chivalry exhibited by the average Californian, as the following incident attests:

In the fall of 1860 a very pretty young woman, wife of a Placerville hotel-keeper, was frequently seen riding a pony among the hills. On one occasion she encountered, upon the road a few miles from town, a crowd of roughs, one of whom insulted her. As soon as Mrs. Herrick reached the town and reported what had occurred, a mob of indignant citizens sallied forth, and before many minutes had passed one end of a stout rope was around the culprit's neck and the other was thrown over the branch of a tree. Upon his promising faithfully that he would never again insult a woman in California, the man was allowed to depart. To the early pioneers there could be no worse crime than disrespect shown to a good woman.

At this period of El Dorado's history desperadoes from Texas and Missouri were numerous; there were many robberies committed, and fire-arms were frequently in use. Claim jumping was a common occurrence. Near Placerville a certain individual took possession of a claim owned by a young man who had gone to his cabin for lunch. The offender, a gambler from

Missouri, wore, among other things, a white fur plug hat and a blue swallow-tail coat with brass buttons, while around his waist was a broad belt filled with revolvers and bowie knives. In a few minutes the owner of the claim appeared accompanied by a large and strongly built man, one Marple of Philadelphia. The Philadelphian sauntered up carelessly and, accosting the Missourian, requested him to leave. The fellow insolently refused to stir, and as he spoke he placed his hand upon one of his numerous weapons. Without further parley, Mr. Marple stepped forward, collared the Missourian and assisted him out of the claim in no gentle manner; and the boaster, who like all of his kind, was a rank coward, slunk away.

A desperado named Burns, who afterward helped to capture the notorious bandit, Joaquin Murieta, was in the habit of lounging around the various bar-rooms, carrying about his waist an arsenal in miniature. A dispute having one day arisen between this individual and the Mr. Marple just described, Burns promptly grasped a revolver, whereupon the Philadelphian, shoving a huge fist almost into the man's face, remarked, "Yes, draw your weapon, and I'll bet drinks for the crowd that I'll knock you down before you can cock it."

Burns, evidently concluding that discretion was the better part of valor, put up his weapon and treated the bystanders.

Another border ruffian made his home at a way station or bar-room, on the emigrant road a few miles from Hangtown, or Placerville. This person had a habit of accosting miners and strangers who stopped at the place in a rude and barbarous

manner. Drawing a weapon, he would ask the stranger if he had said his prayers and was ready to die. Upon the stranger's offering to treat to whiskey, the ruffian would cease his threatening demonstrations. But the fellow tried his game of intimidation once too often. An old Kentuckian stood at the bar one day quietly enjoying his beverage, when the ruffian approached, clasp ing an immense bowie-knife, and inquired of the new-comer if he had said his prayers that morning. The old Kentuckian replied that he had not, as he had done all his praying in his younger days, and enough, he "reckoned", to last him the rest of his life; as he spoke, he drew his revolver and fired, the ball crashing through the desperado's brain. No inquest was held, as the Coroner thought it unnecessary.

Many were the rich strikes made in the gold mines during those early years in El Dorado county. On a warm and sultry day in the spring of 1851 several prospectors were at work with their cradles in Emigrant Ravine, some two miles above Placerville. There appeared a stranger, with his pick and pan for prospecting, and inquired of the miners if there was a place where he could work.

One of the men pointed to an oak tree upon a nearby knoll and remarked jokingly,

"Yes, there by that tree is the finest place to work that I know of."

The stranger viewed the ground, and taking the miner's joke for the truth, straightway fell to work. The soil was deep and the digging hard, but the stranger persevered, and after two days uncovered the bedrock eight or ten feet below the surface. From the bottom of this hole he cradled out more gold within a week than the

neighbors who had sought to fool him, a "tender-foot", had obtained in their whole season's work. This was but one of many instances proving the oft-repeated assertion that "gold is where you find it."

A colored man, walking at the foot of a steep hill, picked up a small nugget of gold, whose edges were sharp and which apparently had never been in running water. But whence came it? That was the mystery. The negro, out of curiosity, dug a hole upon the hillside. He found no gravel. The soil upon the bedrock was a deep crimson color, and scattered through the red earth was an abundance of coarse gold, which had never been in contact with water, but had been deposited by heat or chemical action. This was the first discovery, in that neighborhood, of the valuable, red hill gold deposits.

During the spring of 1860 four deserting sailors from San Francisco drifted up into the foothills of El Dorado county. They wandered about for a few days, and finally found themselves near the head of a small ravine, which opened into a deep canyon. The spot looked inviting, and one of the sailors remarked,

"Well now, me lads, let's drop anchor here; pipe all hands, pass the grog and make the blarsted dirt fly."

One of them began by measuring off a spot "about the size of the forehatch"; and he immediately commenced work with his pick and shovel, "To break out the cargo until he struck bottom," he said.

Some miners working in the ravine below watched these operations, and were greatly amused to see the jolly tars hunting for gold at

the top of a hill. The soil was not deep, and by taking turns at the work, they soon reached the bedrock, where they found dirt and gravel of a pretty red color. They took a panful down to the ravine, where one of the old miners offered to wash it, though he remarked that it was hardly necessary, for "gold could never have got away up there at the top of the hill." But to the astonishment of the miner and his partners, that one pan of gravel yielded about twenty dollars in gold. The sailors procured candles and the necessary tools and went to work. At the end of three months they had secured about \$20,000 in gold. These diggings were located one-and-a-half miles from Hangtown, near the American river trail, and the ravine near them was afterward known as "Sailor Boy's Ravine."

In the winter of 1853-4. our pioneer, Mathias Lauber, wearied of camp life, decided to return to the old home in the East. He reached New York in March, 1854, after having twice crossed the equator. He married soon after this, and became anxious to go back to California. But his wife could not be persuaded to live in the Far West, which she looked upon as a wild and degenerate country; so, like a loyal husband, Lauber remained in the East, where he worked faithfully to provide and maintain a home. Eight children were born to them.

In 1863 Lauber enlisted in Company E of the 16th New York Volunteer Cavalry, in which he served during the remainder of the Civil War.

His wife died at Buffalo, New York, in 1873. The same year Lauber was again married, his new bride being a widow with three little sons. After his marriage Lauber moved with his family

to Kansas, where the second Mrs. Lauber died in 1892. Soon afterward Lauber returned to the Golden West which he had left so many years before.

Of Lauber's children—five girls and three boys—all the sons and two daughters still are living. The sons are in Kansas; one daughter lives in Ontario, Canada, and the other, Mrs. M. Barker, is in Placerville, California, where the father also resides.

In 1903 Lauber was injured by a fall in Los Angeles and consequently he walks by the aid of crutches. But his memory still is vivid and nothing delights him more than to pass again in spirit through the perils, the hardships and triumphs of the golden days when California was young.

III.

SAMUEL KYBURZ,

WHO LED A SUTTER EXPEDITION.

To become, in the prime of manhood, a pioneer of a future commonwealth, and to live through half a century of that State's history, watching the gradual evolution from primitive conditions into organized industry, does not fall to the lot of every man. Yet the subject of this sketch realized such a destiny.

Born in Switzerland on the twentieth day of June, 1810, Samuel Kyburz received as his birth-right that sturdiness of body and steadfastness of purpose which belong to mountaineers the world over. His early life was of the pastoral order so common among the Swiss people; but

in 1846 he embarked for new fields, coming with his friend, John A. Sutter, to California. When Captain Sutter established his fort and trading post in the Sacramento valley, Kyburz became his general superintendent and confidential adviser, in which capacity he assisted Sutter for several years.

In 1847 Captain Sutter, wishing to engage in the lumber business, sent out a number of small expeditions in search of a good timber and milling locality. The most important of these parties was led by Samuel Kyburz, and consisted of a German mill-wright named Gingery and two or three Indians. They explored the Sierra Nevada foot-hills east of Sutter's fort, and in the course of their wanderings discovered the little valley in which Coloma now stands. Later, when James W. Marshall had selected the actual site for the erection of the saw-mill at Coloma, Samuel Kyburz induced Captain Sutter to choose that location instead of the one in Butte county which Marshall favored. And when the articles of partnership between Sutter and Marshall were drawn up by Sutter's clerk, General John Bidwell, Kyburz was one of the witnesses to the transaction.

During the early Fifties Samuel Kyburz followed the business of general merchandising in Sacramento and San Francisco; then moved up to Clarksville, in El Dorado county, where during the remaining years of his long life-time he pursued the uneventful but profitable occupation of farming and stock-raising. For several years he held the office of Justice of the Peace.

The history of such an unobtrusive career, to be of general interest, must consist mainly of

narratives of the more important contemporary events.

Eight miles southeast of the scene of the gold discovery at Coloma was the settlement of "Dry Diggings", so named because the creek upon which it was named was practically dry in the summer. This camp had been discovered early in 1848 by William Daylor, one of Sutter's associates. The creek bed and the land adjacent to it were immensely rich, and Dry Diggings soon became a populous camp. On a certain night, about the middle of January, 1840, Lopez, a Mexican gambler who had in his possession a large sum of money, was attacked in his room in Dry Diggings by five men, overpowered and robbed. But while the crime was being committed, someone raised the alarm and a number of miners constituted themselves a "vigilance committee," tried their prisoners, convicted them and sentenced each of the five men to receive thirty-nine lashes. The next day was set as the time of punishment. It being Sunday, throngs of people came from all directions to witness the much-talked-of flogging.

An eye-witness, E. Gould Buffum, formerly a lieutenant in Stevenson's New York Volunteers and afterward editor of the "Alta-Californian," relates that when he arrived at the place he found a large crowd assembled around an oak tree, to which was lashed a man with a naked back, already gashed and bleeding, but upon which another man was still applying with all his strength a long rawhide whip. A dozen men stood near, with loaded rifles aimed at the prisoner, and ready to fire should any attempt be made to escape. When all the culprits had been flogged for their

attempt at robbery, other charges of robbery and attempted murder, committed the previous autumn on the Stanislaus river, were made against three of the men—two Frenchmen and a Chileno. The prisoners had been so severely punished that they were unable to stand and had to be removed to a place where they could lie down. Nevertheless, the assembled crowd, some two hundred men, coolly proceeded with a trial of the accused men upon the fresh charges—attempted robbery and murder. True, it did not appear that either crime had been consummated; but it was evident that these three personages were bad men, and the general sentiment was that, considering the fact that the community had no adequate protection against such evil-doers, they had best be put out of the way. Accordingly, when the informal trial resulted in a verdict of “guilty” and when a member of this self-convened court moved that the prisoners be punished by hanging, the approbation was almost unanimous.

At this juncture E. Gould Buffum, the eyewitness before mentioned, sprang upon a stump and in the name of God, humanity and law, vigorously protested against such extreme measures. But the crowd, having reached a decision, and being also excited by strong drink, objected to being criticized, and even threatened to hang the brave orator himself if he did not cease arraigning their conduct. So the speaker, seeing that all remonstrance was useless, stepped down from his improvised rostrum, and resigned himself to witness an outrage which he could not prevent. Only half an hour’s notice of their impending fate was given the prisoners. At the conclusion of

that time they were brought forward, still bleeding from their flogging; put upon a wagon, and held up while the ends of three ropes, which had been thrown over the branch of a tree, were fastened around their necks. All opportunity for explanation was denied them. They attempted to speak; but as they knew nothing of English, the words they used were understood by only a few persons. Vainly they called for an interpreter. Amid their own outcries and the yells of the more brutal members of the mob, their arms were pinioned and a black handkerchief was bound tightly across the eyes of each; then, at a signal, the wagon was drawn from under them, and they were swung into eternity. Graves had meanwhile been dug, and as soon as all life had deserted them, the bodies were cut down and buried. Thus, owing to one of the most cowardly and dastardly deeds ever committed in the name of justice, Dry Diggings acquired the name of "Hangtown."

The oak tree upon which this and one or two subsequent executions took place stood on Main street near the northeast corner of Main and Coloma streets, and it became widely known as the "old hang tree." It has long since fallen before the ax of the woodman, and for years a business structure has covered the stump from the eyes of the curious, until now only El Doradoans and their descendants know of its location. As a matter of history, the stump is under the rear end of the floor of the second store on Main street east of Coloma street, as attested by George C. Ranney, a well-known pioneer, who laid the floor of the building over the stump and who had often seen the "old hang tree" itself in other days.

In February, 1850, when the first statute dividing the State into counties was passed, the Legislature changed the name of "Hangtown" to "Placerville" and provided that either it or Coloma, according to the choice of the qualified voters at the first election for county judge, should be the seat of justice of El Dorado county. Coloma won, and by act of April 25, 1851, was declared the county-seat. But Placerville continued the fight, and after two other struggles, finally in 1857 won the victory and has ever since retained its pre-eminence in El Dorado county.

In El Dorado county, as in all other portions of California during the earlier years, only the most primitive methods of mining were known. The most common of implements was the "pan", a dish usually made of sheet iron, with sloping sides five or six inches deep, and from twelve to eighteen inches in diameter. When filled with auriferous earth, it was held in the hands under water and shaken and rocked in such a manner as to wash the lighter earth over the edges, while the heavier particles, including the gold, sank to the bottom. If the earth contained nuggets, they were picked out during the process of washing; but if the metal were in very small grains, it was collected at the end of the washing in the shape of "gold-dust." When "prospecting," that is, hunting for new deposits or new mines, the pan was used to test the richness of the earth examined. An experienced prospector could save nearly all the gold and foretell with remarkable accuracy how much a body of earth would yield. In the very early days, in extremely rich localities the pan was

frequently dispensed with and the gold picked out of crevices with knives or spoons. These crevices were usually among the rocks in the bed of a stream or ravine, over which mountain torrents had rushed for many winters and left their deposits of the precious metal.

An improvement over the mining-pan was the rocker, or cradle, which Isaac Humphrey, a Georgia miner, had introduced a few weeks after the discovery of gold. The rocker was a wooden box or trough, somewhat like a child's cradle with the lower end left open. At the higher end, near the top, was fixed the hopper, or sieve, usually made of a plate of sheet iron, or, if iron could not be obtained, a piece of raw-hide, perforated with holes about half an inch in diameter, was used. This hopper had sides of sufficient height to hold several shovelfuls of earth without spilling while being rocked from side to side; at the same time it was low enough to allow stones to be picked out easily and thrown aside. Extending transversely across the floor of the rocker, about a foot apart, were nailed two or three little strips of wood, perhaps an inch in height, styled "bars" or "riffles," but more properly "cleats," one of them at the end or "tail," where the dirt was washed out. On the under side of the box was fastened a pair of rockers, resembling those of an infant's cradle, while nailed against the head on the outside was a perpendicular handle wherewith to rock the cradle. When in use, the rocker must be on a solid surface near the earth to be worked and the water necessary to wash it, and with the head a little elevated above the tail. When one man worked it he would throw a few

shovelfuls of gold-bearing earth into the hopper; then, seizing the handle with one hand and at the same time dipping and pouring water on it with the other, he rocked until all the dirt and gravel, except the larger stones, were washed through the sieve; after this more shovelfuls of earth were thrown in and the same process repeated, the larger stones, as they accumulated, being of course from time to time thrown out. If several persons worked a rocker in partnership, as was usually the case, naturally the division of labor and the consequent speed attained brought more profitable returns than if each man worked separately.

As mining operations became more extensive and it was important to reach large quantities of earth in a brief period of time, a more capacious and rapid washer than the rocker was needed; so the "long-tom" and the "sluice" were used. The long-tom was a shallow trough of boards at least fifteen feet long by as many inches wide, and usually increasing in width toward the end, through which a continuous stream of water was conducted. A miner, standing beside this trough, would at intervals throw into it quantities of earth, which were carried by the current to a sieve at the lower end, usually called the "riddle". Here another man stood with a shovel or pitchfork and threw out the boulders, rocks and stones, while the fine gravel and sand, including scales and grains of gold, were carried through and fell, in many small streams, into a shallow box, with an open lower end, which had cleats nailed to the bottom like the cradle. As the contents of the box, which was placed just below the riddle, were kept in constant agitation by the

numerous streams pouring into it, the gold worked to the bottom and was caught and saved by the cleats or by the quicksilver usually deposited there for the purpose of catching the very fine dust, while the gravel, sand and mud were floated and carried off by the escaping water.

The sluice was also a wooden trough, somewhat resembling the long-tom, though often several feet and even twenty feet wide, with cleats and usually quicksilver at various points along it, having a continuous stream running through and being of sufficient length and inclination to wash thoroughly all the earth thrown in before it reached the lower end or tail. In the improved sluice, at a certain point there was a grate of parallel iron bars, called a "grizzly," that allowed the fine particles to pass down but stopped the boulders and cobbles, which were thrown out as at the riddle of the long-tom. Often there was a series of sluice boxes, one below the other; and it was not unusual to see two sluice boxes side by side, the advantage of which was that while the gold or amalgam was being removed, or "cleaned up", from one, the sluice stream might be turned into and continue to flow without interruption through the other.

Without a constant stream of water near, neither the long-tom nor the sluice could be used. There were various methods of securing such a stream; throwing a dam across the bed of a river, digging a canal around a fall, or by the use of any kind of aqueduct bringing water from a higher level. But the most common way, and a method which is still a characteristic of California river mining, was by means of a water-lifting wheel. At nearly every point along these rivers,

where extensive operations were carried on, immense wheels consisting of shafts, arms and cross-boards and resembling the paddle-wheels of a steamboat, immersed just deep enough to be driven by the current, extended across the stream and revolved noisily but steadily. Attached to each wheel, and worked by it was a contrivance for lifting water, usually a series of buckets on a belt, or a chain with valves running through a trough, or a pump of large capacity; and every one of these contrivances supplied a long-tom and sometimes a sluice hundreds of feet long.

Of course, among the inventive American miners, various other mining contrivances, more or less practical, were tried; but in those early days the pan, the rocker and the sluice were used by the majority of Californians.

It was not until 1852 that hydraulic mining, by means of which entire hillsides and mountains were washed away, was invented. First the canvas hose was used for this purpose. In after years the hose was supplanted by iron pipe and a long and heavy iron nozzle, styled a "giant," such as we see in use to-day. Iron could stand such a great pressure of water that it was preferable to any other material for such a purpose.

When quartz-mining was begun, the hand mortar, the old-style arastra and the Chile mill were first utilized. These gave way later to the stamp mill and the various rotary mills now in use.

Many immigrants who entered California shortly after Marshall's discovery seemed to think that gold was to be found on the surface of the ground, whence it could be very easily scraped up and cleaned from the dirt. Upon one

occasion a new-comer pulled up his team alongside a spot where several prospectors were busy and after watching them silently for a few moments, enquired,

"Wall, now, and is that the way you fellers hes to do to git the derned stuff?"

Receiving an affirmative answer, he remarked in disgust,

"Yas? Wall, then, I don't keer for none in mine. Gee haw, buck, jest go lang thar!"

Every trade and profession was represented among the gold-seekers of early California. A contemporary of Samuel Kyburz describes an amusing scene.

At one place he found a lawyer, with gold spectacles and kid gloves on, hard at work in the mud and water. Near him was a physician with a plug hat and with his trousers tucked in his boots. Upon a slight elevation two well-dressed men were working. They were lawyers from New York City and were known among their companions as the "dandy miners". In several months of mining it is said that they cleared a moderate fortune.

After those first eventful years Samuel Kyburz was an observer of, rather than a participant in, the stirring scenes of the youthful commonwealth. Busied with the cares of a growing family and the management of his increasing and profitable farming and stock-raising business, he had little time or inclination to mingle with the outside world.

The years passed on. Children grew up and married, and in the swift march of time our friend saw rosy grandchildren taking their places and hurrying toward maturity.

And then came the end. On the 15th day of January, 1898, Samuel Kyburz, oldest of El Dorado's leading pioneers, heard and answered the call from beyond another Golden Gate, far greater than the one toward which he had traveled more than half a century before.

IV.

WILLIAM B. HOUSE,

AROUND THE HORN IN '49.

When that vast Westward movement began during the months immediately following the discovery at Coloma, no portion of the United States was more disturbed than was staid old Puritan New England; and of all the commonwealths of that sober sisterhood none exhibited greater agitation than did orthodox Connecticut of Blue Laws fame.

It was during the month of December, 1848, that an organization styled "The Hartford Union Mining and Trading Company" was started in Hartford for the purpose, set forth in that com-

pany's "Article of Association":

"We, the subscribers, for the purpose of trading and transacting other lawful business in the Town of Hartford, State of Connecticut, and of mining, trading, purchase and sale of real estate, navigation, commerce, building and manufacture in California in the United States of America, do hereby associate in conformity with the Act entitled 'An Act relating to Joint Stock Corporations' as a joint stock company, and do engage to take and pay for the number of shares set to our respective names."

The Company's minutes continue in these words:

"A series of By-Laws were then presented and passed after which the following gentlemen were elected officers:

"Directors:—A. M. Collins, Noadiah Case, Hoyt Freeman, Ezra Clark and Charles T. Webster. The Directors are to remain in Hartford county.

"Managers:—Leonard H. Bacon, Hezekiah Griswold, Lorenzo Hamilton, Emerson Moody, Franklin Bolles, Erastus Granger and Jared W. Smith. The Managers are to go out with the expedition. Mr. Griswold and Mr Granger have since resigned. Feb. 5. The vacancy caused by the resignation of Mr. Granger, was filled by the choice of Captain David P. Vail.

"Officers of the Ship:—David P. Vail, of Sag Harbor, Captain. Henry T. Havens, of Sag Harbor, 1st Mate. Henry C. Rich, of Manchester, 2nd Mate."

There were one hundred twenty-two members in the Company, and these, together with five employees of the vessel, and an additional passenger, the Rev. O. F. Parker, constituted the

entire number of persons carried by the ship, "Henry Lee," on its voyage to California. Among the names of the Company we find those of "William B. House, Bootmaker," and "George C. Ranney, Joiner", both of them pioneers of El Dorado county.

William B. House first saw the light of day in New York State, near the border of Connecticut, on April 5, 1828, the family moving to Hartford, in the latter State, when William was only four years old.

The elder House and his forbears for several generations back had supported themselves by paper-making. But William, when his schooling was finished, learned the trade of boot-bot-tomer, in which business he was engaged when, a few months before his twenty-first birthday, he joined The Hartford Mining and Trading Company.

On the afternoon of February 17, 1849, the vessel, Henry Lee, with its load of hardy New Englanders, together with two years' provisions, the necessary mining implements and a large stock of general merchandise, sailed out of New York Harbor on its long voyage around Cape Horn.

A member of the Company, Linville J. Hall, then a printer by trade, but afterward a clergyman, set up and printed, on shipboard, during their journey, a complete account of the trip.

Upon entering the Gulf Stream, our voyagers encountered a fierce gale accompanied by cold rains, a heavy sea and an occasional flurry of snow. At intervals during the first week out these disturbances prevailed, varied at times by severe squalls, often accompanied by lightning.

In the forenoon of the first Sunday at sea there was a lull in the storm, and the clergyman, Rev. O. F. Parker, held devotional services upon the deck, first reading the Twelfth Psalm and then addressing his audience in words befitting the occasion. Singing of sacred hymns concluded the observances.

The magnitude of the surroundings and the threatening of the elements combined to make the hour one of singular impressiveness. No stately cathedral echoed the songs and the words of praise; but overhead was the boundless sky, now draped in somber grey, while roundabout, apparently wave after wave toward infinity, stretched the heaving Atlantic. Who can marvel that, amid such grandeur, our pilgrims felt that God Himself was near?

In the afternoon a hard squall came up from the northeast, and early next morning part of the vessel's upper rigging was carried away by the wind. Gales and squalls alternated during the remainder of the day.

Rev. L. J. Hall, the minister,—then a printer—who wrote and printed a narrative of the voyage, writes of this period:—

My sailor chum was full of song and spirit during the storm that was so depressing on others. He would go on deck in the darkest night and in the fiercest winds and cheer the lookout with his songs and stories. He had cut a hole through the partition between the fore-castle and the state-room that he might have the privilege of seeing, as well as conversing with the watch below. One night, after talking with some of the men in the fore-castle, he suddenly turned to me and asked, 'Mr. Hall, if I should

take a small lead pipe, place one end in the bung-hole of a barrel of water, or any other liquid, and bend the other end down to reach a pail below the level of the bung-hole, would not all of the contents of the barrel run out, provided I exhausted the air in the pipe?' I replied that I had no doubt that a part of the contents would run out; at least he could make the trial. He drew a small quantity of lead pipe from a boot hanging in the corner of the state-room and passed it through the hole in the partition to the fore-castle. The act and the question recalled a queer remark of the Captain about the unknown—or unregistered—barrel. A thought came and vanished. Each of the golden brotherhood had signed a solemn pledge of temperance which forbade any side speculations. There were to be no bloated stock-holders—all should be equal in interest and profits; one share to each man and no more.

"The Captain to-day stopped suddenly and looked at the watch on deck, who were full of frolic; all did not keep their sea-legs well. One would dance a hornpipe or shuffle a break-down, yet with good nature endeavor to obey commands. His suspicions were aroused that all was not right. 'Breaking-out day' had just passed. This was a day when part of the watch went into the vessel to bring out such provisions as were wanted for the tables. An examination was made. The unknown barrel was discovered, with bung out and a lead pipe by its side. 'Good apple Jack', as the cider-brandy was called by the sailors, had been creeping up the pipe and down the throats of the crew. It was re-bunged, put into a hogs-

head, headed up, and secured. Inquiries were made among the brotherhood, and the young men with the hope of saving the balance of the contents of the barrel, confessed that they had put it aboard—not knowing that it was a violation of the compact—for a private speculation.”

For several days the inclement weather continued. At times the vessel was plunging about wildly amid waves that often rose thirty feet in air. Then Old Ocean subsided temporarily, again the ship spread its billowing canvas, and the passengers, with the exception of the unfortunates who were sea-sick, began once more to take an interest in material joys.

A few days later mild rains followed another change in the winds, but on Sunday, March 4, the second Sabbath from home, Nature was again smiling. Services were held, in which all participated.

But the rest of this eventful voyage is best told by quotations from the most interesting portions of the Rev. L. J. Hall's valuable book, "Around the Horn in '49." He says, in part:

"Monday, March 5—Latitude 33 deg., 25 min.; Longitude, 49 deg., 46 sec. The wind changed from southeast to northwest in the latter part of the day; the barometer standing at 29.5 in. The day was comparatively mild and the breeze gentle. For the first time our studding-sails were spread. We passed through considerable quantities of gulf-weed. A brig was seen near us in the morning, and black-fish, somewhat larger than the porpoise, were playing around the ship.

"To-day, we suppose, General Taylor was inducted into the President's seat. Though not at

Washington, nor waiting the telegraph bearing the message, we were not forgetful of the day, the evening of which was celebrated by a 'grand' inauguration dance upon deck, perhaps without the brilliancy of that at the Capitol; yet we doubt whether the hearts there were more merry, or limbs more light. In the early part of the evening two sets of dancers were called out upon the quarter-deck, and one around the fore-castle. There was music for all. The seamen afterwards came aft and joined the parties there. The moon was nearly full. The actors appeared to enjoy the night; the enjoyment of these was sufficient to please the mere lookers-on. This, together with the music and the pleasant eve following so many unpleasant ones, gave new life to us all. "Old Zack" had cheers all unheard, except by us.

"Tuesday, March 6.—Latitude, 33 deg., 20 sec.; Longitude, 48 deg., 50 sec. Wind, early in the day, northwest; at night, southwest. Barometer, 29.4 inches. There was rain in the morning and almost a calm; a fine breeze afterwards, with the usual gale, when the ship careening to the wind dashed foaming along its dark course like a well-fed racer broken loose. We remained upon the deck till nearly midnight, watching the sea, sparkling with phosphorescence—which had been observable the evening before—and taking pleasure from the beauty of the scene. The brightness and life of the night before had given us joy; the darkness and loneliness of this afforded us no less satisfaction. We felt

"There is society where none intrudes,
By the deep sea, and music in its roar."

"As a means of passing time pleasantly, and

for the improvement afforded by the exercise, many members had expressed a wish of forming a debating society on board. Accordingly, the 'Henry Lee Debating Club' was organized. E. Moody was made President, G. G. Webster, Vice-President, and G. H. Fisher, Secretary; and a few simple rules adopted for the regulation of the members. Friday, whenever practicable, was the day fixed for the meetings of the club."

On Saturday, March 10, signs of an approaching storm were visible. The Captain stated that the rough weather they had experienced was very unusual in those latitudes at that time of the year. The following night--Sunday--a terrific storm burst upon the ship and continued throughout the night.

Daylight showed that three feet of the foremast's head had snapped off in the gale, and the rigging and sails were badly damaged. But our friends were thankful for their own safety. Furthermore, the sails and rigging could also be saved. The injury had been great, but it was not irreparable.

Weeks passed, however, before the necessary repairs could be brought to completion. Other ships were sighted, but only one came within speaking distance. But the storm had spent itself, and for some time the vessel sped onward beneath smiling skies.

In the tropics warm showers were encountered, but there were no gales or other disturbances of a serious nature. Our pilgrims crossed the equator on the evening of March 31. On the 21st day of April the "Henry Lee" entered the harbor of Rio Janeiro, the capital of Brazil. In this city they found New York papers, the first news they

had obtained from home since the beginning of the voyage. The company and the crew spent several days enjoying the strange sights of the Brazilian metropolis. Only one unpleasant feature marred the happiness of that brief sojourn. A sailor disobeyed orders and even ventured to attack the Captain, whereupon, as the case had to be taken before the American Consul, the man was left behind, it being time for our voyagers to put to sea again.

Sunday, May 20, finds them nearing the dreaded Cape Horn, and for Friday, June 1, we quote the following:

“Latitude, 53 deg., 10 min.; Longitude, 58 deg., 40 min. In the last thirty-six hours we have encountered, and—thanks to Him who holds the winds and waves in His hand—have come forth unharmed from the most violent gales we ever saw, or wish to see again. They came from the old quarter—southwest—and we verily believe from the very centre of the great storehouse of Australis itself. The storm first broke upon us Wednesday evening about 8 o’clock. The Captain was at his post calmly awaiting the onset; and, at the right moment, and in a stentorian voice—suited the action to the word—ordered the sheets, one after another, to be let go and furled, and the ship put in storm dress for the night. In a few more moments everything was snug. We looked upon these rapid evolutions, both alow and aloft, and out upon the fretful elements which had caused them, with deep awe and solemn silence. The number, we believe, was small among us who did not feel considerable solicitude as to the result of an encounter like this, greeting us, as it did, with a deafening

roar, and heralded, as it had been, by a remarkable depression of the barometer. The mercury, when at the lowest, stood 27 8-10 inches. During the whole of this storm the weather was cold, the thermometer at about 32 deg., or freezing point. But happily we have weathered its fury without suffering the loss of life or property."

But the treacherous waters in the vicinity of the Cape were passed in safety, though the stanch little vessel weathered nearly a month of rough winds, storms and heavy seas. Under date of Sunday, June 24, Rev. L. J. Hall quotes from Captain David P. Vail's journal;

"I feel as if it would be right to congratulate ourselves on being safe round Cape Horn, which sometimes appeared almost out of the bounds of probabilities. At any rate, I am convinced that a ship may make her way round in the winter by exercising a great deal of patience. I would also recommend standing well out south as long as a ship makes no easting—say as far as 59 deg.; for I found near the land a strong northeast current which prevented our making westing when steering anywhere to the north of northwest.

"Many say winter is the best time to double the Cape; but, as far as my knowledge extends, give me summer. In the first place you have long days; in winter the reverse—and nights eighteen hours long, with no moon, are not comfortable. Then it is not cold in the summer. * * Never again will you catch me doubling Cape Horn from the eastward in the winter time."

Fourth of July, 1849, dawned upon a sunny, rippling sea, and the day was fittingly observed on shipboard with true New England fervor.

At last, on Monday, September 10, there appeared, distance-faint, the world-renowned Golden Gate, or "Chrysopyle," so named by Colonel Fremont in his belief that San Francisco, because of its location, was destined to become the great centre of trade between Asia and America. The term "Golden" was suggested by the glow cast upon the waters by the beams of the setting sun.

Three days later the "Henry Lee" sailed into San Francisco Bay, and our pilgrims felt, as all must feel who enter that matchless harbor, something of that mysterious enchantment, which gives San Francisco a fascination unique among the world's capitals.

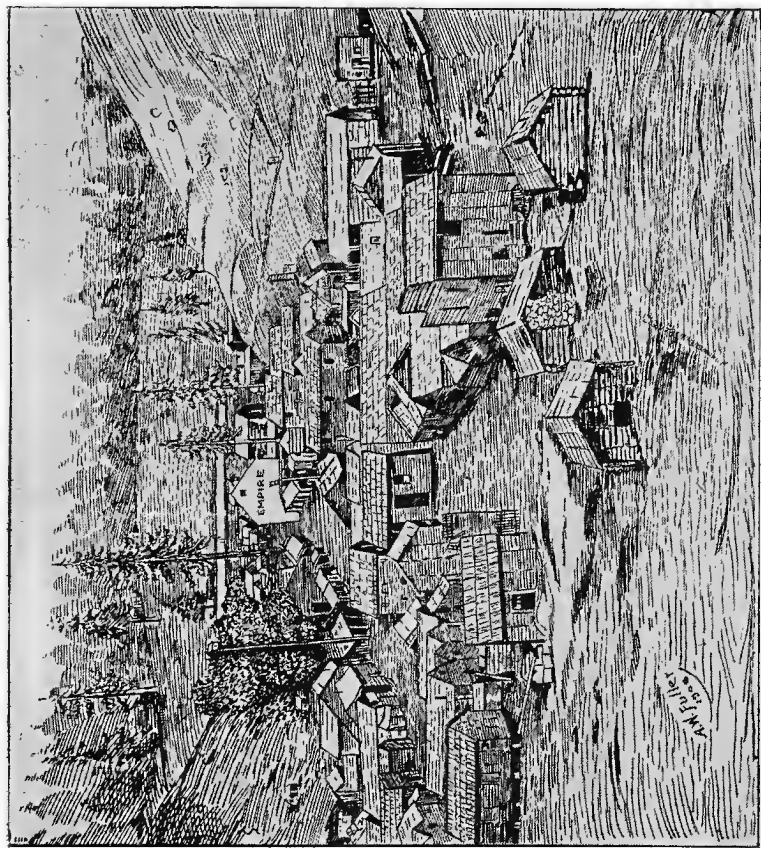
The ship's anchor having been dropped, Captain Vail, turning to the happy passengers, lifted his hat and said,

"Gentlemen, I have done my best for you."

The heartfelt cheers of gratitude which greeted this remark answered him better than any words could have done. The Captain was visibly affected by this outburst of approval, and two tears rolled involuntarily over his sea-browned cheeks.

After a few days spent in San Francisco, the Company divided itself into squads and started for the mining regions. On the way several men died of fever and dysentery.

Early in the fall of 1849, our pioneers, William B. House and George C. Ranney, and other members of the Company, arrived in Placerville, then Hangtown. Like the majority of the early immigrants, they first tried mining with varying success. House also worked at his trade of boot-bottoming. During his mining experience he



PLACERVILLE—HANGTOWN—IN 1850.
Drawn by A. W. Fuller from copy

claims to have taken out the largest single pan of gold which was ever found in Kohn Hollow—now Coon Hollow. The pan in question yielded \$500, and House's entire day's work brought him \$1070, out of which he paid 25 cents a sack to have the gold carried to Weber creek, where it could be washed.

A year or two after our friends' arrival at the mines there occurred one of those brutal lynchings from which the little village had already derived its grewsome title, "Hangtown."

A young gambler known as "Irish Dick" was one day dealing "monte" at a table in the "El Dorado Saloon," when a sudden altercation arose between two men at a near-by table. "Irish Dick," although not a party to the quarrel, immediately sprang up, drawing a bowie-knife, and rushing over to the disputants, coolly stabbed one of the men three times in rapid succession. Returning to his game, as quietly as if nothing had happened, he remarked to his partner,

"I stabbed a man back there; am sorry for it."

Friends urged him to flee and save himself, but he refused to heed their counsel. He was arrested the next morning, tried before Justice Humphreys at the corner of Main and Coloma streets, and found guilty of murder. The most of the inhabitants of the camp seemed willing to let the law take its course, but the brother of the victim could not be pacified. Jumping up, he cried excitedly,

"He killed my brother! He must die!"

His words fired the crowd and turned them into a lawless, unreasoning mob, eager to destroy. Seizing the prisoner, they hurried him to an oak tree close at hand, and in a few minutes all that

was mortal of Irish Dick was dangling at a rope's end.

There are several conflicting accounts of this affair. Some trustworthy "49ers" assert that Irish Dick met his fate on the "old hang tree," on Main street, two doors east of Coloma street. Other pioneers, whose reputation for veracity is equally good, declare that, although the mob first intended to lynch their prisoner on that historic tree, they were dissuaded from their purpose by the proprietor of Herrick's Hotel, who feared that the excitement would jeopardize the life of a man who lay very ill in a room of the hotel; so the mob proceeded up Coloma street and hanged their prisoner to the bough of another oak tree, which stood near the spot where the "Church of Our Savior"—Mr. Peirce's church—now stands. As there is no way of determining which is the true version, we can only conclude that someone's memory is at fault and that each reader must take his choice of the two narratives.

Shortly after the admission of California as a state, William B. House served on the Grand Jury at Coloma. It happened at this time that a man by the name of Doherty was on trial for horse-stealing. The jury in the case had been "out" two days and a night, but had failed to agree. While this trial was in progress, two other crimes were committed. A negro cook named Miller stole \$5000 from one Martin, the owner of a boarding-house and grocery store in Kelsey; and an Englishman in the employ of a miner on Granite creek robbed his employer of \$3000 in gold-dust. The stolen property was all recovered, but the cases were taken before the Grand Jury, who brought in bills of indictment against both

of the accused men.

By this time, the people of the neighborhood, greatly displeased over the unaccountable delay of the jury in the Doherty case, began to gather near the court-house. County Judge Hall addressed the crowd from the steps of the court-house, urging them to be patient. A prominent lawyer also talked to them in the same strain. The assemblage listened quietly to both speeches and then deliberately marched to the jail, which was located in one of Coloma's log-houses.

In the meanwhile the Vigilance Committee of Placerville had been notified. Just as the Coloma men reached the jail the Vigilance Committee also appeared, mounted upon donkeys, mules and other steeds which they had taken possession of along the road from Placerville. Benjamin F. Nickerson, auctioneer, and keeper of a saloon and gambling-hall, was riding ahead.

Seeing the gathering throng, Harmon, an editor, hurried to the jail, and ascending the steps, made an earnest plea that mercy be granted the unfortunate men. But the mob, putting him aside, rushed into the jail and came out with the negro, Miller.

Miller had formerly implicated two other colored men, but he now confessed that he alone was guilty. He called for liquor, and someone brought him a half-bottle, which he quickly drained. Then Martin, the Kelsey landlord, said to his wayward cook,

"Why did you steal from me? Didn't I always treat you well?"

"Yes, massa," the negro replied, "You's always treated me well; but when I stole I expected to get away; if caught, I expected to be hung."

Without more ado the mob hurried the prisoner to an oak tree near the jail. He again asked for liquor, which was given him; and he had no sooner disposed of the stimulant than a rope was placed about his neck, and in a few minutes all was over. The crowd rushed back to the jail and brought out the Englishman who had stolen the gold-dust. The poor fellow begged piteously for mercy.

"I can't die! I ain't fit to die!" he cried.

But the mob, apparently bereft of all sense of justice and humanity, dragged the suppliant to the oak tree, where they quickly disposed of him, thus in one brief hour adding two more atrocious crimes to the long list of outrages in El Dorado county which had been perpetrated in the name of equity.

The mob, their appetite for murder still unsatisfied, next went to the court-house and told the sheriff that they would allow the jury fifteen minutes in which to bring in a verdict in the Doherty case, and that if a verdict were not forthcoming within the prescribed time they would first lynch the prisoner and then the jury. It is hardly necessary to add that a verdict of "guilty" was rendered without delay.

In May, 1863, William B. House was married to Miss Mary E. Parlow, of New Bedford, Massachusetts, who had come to California via Cape Horn in 1853, and who was the first school-mistress in Placerville, where she opened school in a log cabin April 1, 1853. The girl who later became the wife of Congressman Page was one of her first pupils; George F. Mack, afterward Superintendent of Schools of Amador county, was another.

House was ill of typhoid fever and made his first appearance in Placerville riding behind an ox-team, and had been nursed back to health by Doctor A. Clark, then of the firm of Harvey and Clark, and since a prominent physician in the Insane Asylum at Stockton. But until recent years our pioneer's life has been signally free from bodily ailments.

His last mining was done at Spanish Hill, in 1873, when he had his leg broken by a cave. On October 20, 1896, while engaged in carpenter work in Placerville, he fell from a building, breaking his hip, and, with the exception of light chores at home, he has since been unable to work.

Frail in body, yet serene and happy in each other's companionship, William B. House and his wife still are here, loved and respected by all who truly know them, and sustained in their declining years by the consciousness of having achieved the greatest of earthly triumphs—a complete manhood or womanhood.

V.

ALEXANDER CONNELL, OF THE FAMOUS MAMALUKE HILL.

The Georgetown Divide has never achieved the degree of notoriety that has been attained by other portions of El Dorado county, for its history has been a comparatively quiet one. With one notable exception, it has experienced none of those arbitrary acts of lawlessness which gave Dry Diggings the sobriquet of "Hangtown." But the little "North Side" village and its environs, though lacking in that "respectable citizen" type of criminals, the lynchers, enjoy a merited distinction in the most profitable industry of the Sierra Nevada

foothills; the "divide" of which Georgetown is the centre has produced large amounts of gold continuously for a longer period of time than has any other section of El Dorado county. But the underground treasures unlocked by Georgetown's pioneers have long since passed into the hands of a younger generation, until, today only one old "Forty-Niner" still remains on the original camping-ground.

Alexander Connell was born near Ogdensburg, New York, on the 29th day of October, 1829, and started across the continent toward the Pacific Slope, February 20, 1849. The party of emigrants organized at Racine, Wisconsin, a train of five wagons being necessary to carry themselves and their effects. During the early part of the journey, banks of snow impeded their progress. They crossed the Missouri river five miles above the town of St. Joseph, Missouri. After reaching Utah, they followed the "old Mormon trail" across the plains, deviating from that once near Salt Lake City. Coming to the Humboldt river in Nevada, they followed that stream to its mouth in Carson valley, and from there took the "old emigrant road" into El Dorado county, California, reaching Coloma August 25, 1849.

Two days later Connell moved to Georgetown and shortly afterward began mining at Ford's Bar. He spent the winter at Spanish Dry Diggings, where he also engaged in prospecting. April, 1850, found him at Oregon Hill, in the neighborhood of Georgetown. And about this time occurred the tragedy which gave "Devine Gulch" its name.

Devine, a miner, was at work a mile north of Georgetown, in a gulch sloping into Oregon.

Canyon. The place was uncommonly rich, producing much coarse gold, including a number of very large nuggets, one of which was sold for \$900. But Devine, like a great many of his contemporaries, had a passion for gambling, and his large earnings were quickly dissipated.

On different occasions Devine had given his wife a number of large nuggets for safe keeping. Having lost heavily at the gaming table one day, he sought to drown his sorrows in liquor, and returning to his cabin in an intoxicated condition, he called to his wife, who was in another room, and ordered her to bring him one of the nuggets. She refused; whereupon her husband, drawing a revolver, sent a bullet through the closed door, inflicting a mortal wound.

A few minutes later, when a mob of indignant citizens broke into the house and seized the murderer, his dying wife pleaded with her last breath for the life of her worthless spouse. Out of pity for her grief, the crowd spared the life of the miscreant until the woman's eyes had closed in death; then, taking their prisoner to an oak tree on the Wentworth place, they hanged him without further parley.

Devine Gulch continued to yield large quantities of the precious metal. During 1852 Nathaniel and Sylvanus Bryant, while mining in the gulch, took out three nuggets, valued respectively at \$525, \$200 and \$150, besides several other pieces ranging in value from \$50 to \$100.

A few years later, Devine Gulch having been abandoned, Elisha Holmes settled there and acquired possessory title to practically all of the property. It has since remained in the possession of the Holmes family.

In 1841, more than forty years after the first nugget was discovered by Devine, the land including the gulch was being worked as a farm by the present owner, E. B. Gitchel, a grandson of Elisha Holmes. In proximity to the gulch was a reservoir which had been used for mining purposes, and it occurred to Gitchel that if he should fill the reservoir with earth it would be an excellent garden-spot, with a much deeper soil than is ordinarily found upon hillsides. Imbued with that idea, on New Year's Day, 1891, he began to "sluice down" from the adjoining slope. About 4 o'clock in the afternoon he found the largest nugget the gulch has produced, a piece valued at \$1058.25. By night he had secured enough gold to fill a one-pound baking powder can, an amount exceeding \$1500 in value. He had unknowingly come upon what had formerly been a curve of Devine Gulch, which had, by some upheaval of nature, been gradually filled up, the waters of the stream having opened up a new channel, which again joined the gulch a little lower down.

In 1862 Alexander Connell mined on Mamaluke Hill, his present home, and at one time a well-known mining camp. The hill has been immensely rich. In 1854, one panful of gold was prospected, yielding \$2100. The same year, Klipstein & Keyser, proprietors of the "Clipside" claim, "sluiced out" \$11,000 in one day.

Connell returned to New York in 1857, where he entered the milling business and lost everything in the great financial panic. The next year he was again in California. But he was still unsettled, and the three years from 1865 to 1868, inclusive, he spent at dairying in New Hamp-

shire. In 1868 he again turned toward the "Golden State," and there he still remains.

On Sunday, July 23, 1854, a most brutal crime was perpetrated in Greenwood valley, near the present Georgetown and Auburn stage-road. An old man named William Shay was engaged in watering his garden when one Samuel Allen approached, knocked Shay down and stamped him to death, then, by use of large stones, literally reduced the victim's head to a pulp. Allen attempted to escape, but he was arrested by an eye-witness of the crime and taken before Judge Stoddard, who ordered him to jail to await his trial. An officer who started for Coloma with the prisoner in his charge, was overtaken and overpowered by an angry crowd of men, who forcibly took possession of Allen, and, hurrying him to Greenwood, hanged him to the limb of an oak tree. This selfsame tree had previously served as a gallows for another criminal, James Graham of Baltimore, who, in 1851, had invited an old resident of Greenwood valley, a Mr. Lesly, to go with him on a prospecting tour, and after getting the old man a safe distance from the settlement, shot him. Then, imagining his victim to be dead, he turned and fled. But Lesly, though mortally wounded, succeeded in crawling to the cabin of John Burch, close at hand, where he related what had happened. The alarm was given, and a party of citizens pursued the murderer, caught him at Uniontown—now Lotus—and brought him back to Greenwood where he was tried by a jury of twelve men, condemned, and hanged.

Despite its gruesome features, the life of the early Californian abounded in episodes which strong-

ly appealed to the humorous side of his nature. C. W. Haskins, author of "The Argonauts of California," tells of a family he met on a road in El Dorado county, on their way Eastward. An inquiry as to their destination elicited this reply:

"Wall, stranger, me an' the ole woman air a-gwine away from hyar. We air on the home-stretch to ole Missouri agin, whar we cum frum nigh on ter ten year ago."

He explained that many years before he and his wife had become desirous of living in some secluded place where, he said, "We cud jest enj'y oursels, an' raise lots a' chickens without interferin' with nobody."

Accordingly they had moved West and made their home upon the frontier.

"Wall, stranger, that wuz a rale quiet place out thar for a spell, but jest as soon as they diskivered gold out in Californy, the jig were up, fer all them chaps who was agoin' thar, cum right along my way, an' jest shoved that air frontier of ourn right along ahead o' 'em t'ards the West. So one mornin' Nancy sez to me, sez she, 'Hiram, Hiram! ef we air a-gwine to enj'y a solitude along with a frontier we mus' git away from hyer, t'ards the west, and get a leetle ahead of all them fellers.' 'Thet's so,' Nancy, sez I, 'an' ef you pack up ther duds, I'll call ther chickens, hitch up ther team an' load ther wagon, and we'll git ahead on 'em and diskiver another frontier some-whar.' But durn my buttons, stranger, we've been tryin' to git a leetle ahead on 'em ever sence. But 'taint no use. We thot we had struck a frontier in Californy agin' fur sartin, when we fust got thar; but one mornin' arter we hed hed a long wet spell, the first thing I seen was a

steamboat right in ther back-yard. So, sez I, 'Nancy, Nancy, hyer they air jest a-comin' agin.' So we loaded our traps in the wagon and went over the mountain whar the ocean is, and we jest thought we hed got it now fur shure; fur hyer wuz a sort of nat'ral frontier thet wouldn't stan' any pushin'. So we untied the chickens an' got ready, kind o' hum like, when one mornin' we heard the awf'lest n'ise, and w'en we went out durned if thar wern't a saw-mill right back of our chicken-house, an' they were just buildin' 'nother one 'cross the crick, an' some ships wuz a-sailin' in frum ther ocean to load up ther lumber. Now, Nancy never did like saw-mills. Sed she'd ruther hear it thunder, enny day, 'cause the sawin' n'ise sets her teeth on edge so. On'y she hain't got a natural tooth in her head, annyhow."

"Well," inquired Haskins, "where did you go next?"

"Wall," said the woman, "we thot we mought try it further north for a spell, so we moseyed 'long up thru Oregon, and way off up into Idyho, where we foun' a frontier at last, fur sartin. An' I reckon 'twill stay there for a spell, too. We stayed on't a hull year, but had to git off on't agin on 'count of the chickens."

Her auditor asked her to explain.

"Oh, shucks," she replied, "a sawmill wuz nothin' t' the racket up thar, an' I'll tell you how it wuz. Yer see, in the winter 'tis tarnal cold, and ther roosters couldn't crow, for yer see jest as they 'gun to crow it all froze harder'n an icicle, so jest soon's spring's thaw cum on, why all ther crowin's thaf wuz fruz in ther winter 'gun to chirp, and such a crowin' time ye never heerd in all yer born days. And for more'n two weeks

me nur Hiram didn't sleep a blessed wink. Wall, stranger, we jest packed up agin and thot we'd try the kintry, 'mong the cactuses in the sandy desert down in Aryzony. From the looks o' things down thar we thought mebbe we'd be 'way frum 'em all an' have the frontier all to ourselves, but we wuz hasty, though. One mornin' Hi run, and sez he, 'Nancy, Nancy! 'taint no use!' They wuz comin' agin, sure 'nuff; fur 'way up the valley we cud see the dust a-risin', and we knowed whut that meant. An' now yer see, we air jest a-moseyin' back to ole Missouri agin."

"Yaas," says Hiram, "the kintry's gittin' to be no 'count, and purty soon thar won't be a mite o' frontier lef', fur they are jest a-crowdin' on it way down into Mex'co, an' 'twon't be very long 'fore they'll be a-tryin' ter chuck it away up over inter Canady. Yer can't find enny solertude now anywhar."

"Nary a solertude," Nancy added, "Fur 'tis jest fizz! buzz! geerat! whang! slang! kerbang! all over the hull blessed kintry. Now we'll go back to ole Missouri agin, whar we kin git suthin' fit ter eat, anyhow, and we'll try to stub thru ther rest of our days 'thout enny frontier in our'n."

Haskins asked if she could find nothing in California fit to eat.

"Oh, yaas, sech as 'tis; but nothin' ter whut we can git in Missouri."

"What can you get to eat there that is so much better than anything to be found in California?" queried Haskins.

"Wall, stranger," she said pityingly, "yer never et poke-greens and bacon, down in Mis-

PIONEERS OF EL DORADO.

soury, fur ef yer hed yer never would a-ax'd sich a question."

Haskins turned to the old man and asked for his opinion of California.

"Wall," he replied, "'tis a big kintry, and I tell yer 'twon't be very long before there'll be a powerful heap er folks a-livin' all over, thicker'n rats in Sacramenty City"—"Yaas, or flees in San Frixo," interposed Nancy—"but when yer cum to talk about yer climate, there ain't none t' compare with climate in ole Missouri. W'y, jest think on't, stranger; ten an' 'leven months o' sunshine in Californy an' no show for a pore man to git a minit's rest, and every mornin' 'long 'bout daylight yer jest hear the ole gal a-chirpin', 'Cum, cum, Hi, git up thar! the sun's a-risin' clare, and yer got a heap er work ter do, yer know.' No, stranger, I couldn't stan' it; so we'll go back to ole Missouri, live on poke-greens 'n bacon, 'n hev a show wen it rains t' talk politics with ther boys ouden ther corn crib, or take a nap with ole Boz in the chimney corner for a spell. It's so drefful cheerin' like in ole age."

These people were but one type of the many diversified human beings who had come to the land which Alexander Connell had found a congenial home.

He has never married, and now, in his hearty old age, he spends his days in and near his cabin on Mamaluke Hill, fully content in the society of his dog and cat and the solace of his newspapers and his books. Yet his friends are many and he has the sincere respect of all who know him.

VI.

REUBEN K. BERRY,

THE FIRST ALCALDE OF SALMON FALLS.

“San Francisco, Cal., Sept. 21, 1849.

“My Dear Wife:

I received your letters of March and May with one of Louisa's, and you can judge with what satisfaction I read them. After so long and tedious a voyage, it was a happy day for me to hear that you are all well. I thought sometimes that I should never hear from you again; but we arrived yesterday, safe and sound, and very fat and healthy. But, oh! if I could see you all, and romp on the floor with those children, it would be a great satisfaction. I have news from home as late as the 12th of June. * * We expect an

other mail daily; then I shall look for more news from you.

“Now about the gold. I got a share yesterday and took it to the best office; traveled the streets all day; and such a sight I never beheld—such bustle and confusion, and display of gold-dust! It was astonishing. Every few rods I would meet one or more men with a bag of gold-dust. I cannot describe the scene—you can get it better in the papers. All I can say is that what you see in the papers is not exaggerated in the least. I must say it far exceeds my expectations. Men are arriving hourly from the diggings with their bags of gold. The diggings are from one hundred to three hundred miles from here. We start for there in two or three days; go as far as Sutter’s Fort in a schooner, from there by land up the Sacramento river. We all feel confident of making our fortunes and getting back home a year from this fall. And if I am lucky and get rich, and get back home with my money, I think it will repay us for the unpleasant hours spent in our long separation. We will then enjoy ourselves enough to make it all up. Give yourself no uneasiness about me. We can write often. Give the girls good advice and have them be careful what company they keep. I think I can make enough to make us all well off, and help some of our friends. Take good care of yourselves and live as easy as you can.

“I hear that cholera is raging in New York and at the Isthmus of Panama; but it is very healthful both here and at the mines.

“The next letter that I write I suppose you will hear that my pockets are bursting with the heft of gold.

“Believe me ever yours,”

The writer of the foregoing letter requires little introduction. Every sentence reveals to us a kindly, sincere, conscientious man, devoted to his home and family.

Born at Prattsville, Green county, New York, on the 19th day of August, 1813, Reuben Kelley Berry spent his early years on a farm. His father was the proprietor of a tannery and a stage-line. After his boyhood days were over, Reuben started a livery stable, in which business he was engaged until 1849.

In 1842 he was married to Miss Amanda Phelps, who was one of the eleven children of an inn-keeper and farmer of Delhi, Delaware county, New York. She was a woman of exemplary character, and a sincere Christian. After her marriage, it is said that the hospitality of her home was extended to all, and that no shelterless or hungry wanderer knocked at her door in vain. She and her sister, Miss Charlotte Augusta Phelps, were the first two white women in Salmon Falls, California, one of El Dorado county's earliest mining camps. Miss Charlotte Phelps was also the first school-teacher employed in the Salmon Falls school. In 1853 she was married to Edward T. Raun, a San Francisco architect.

Six children were born to Reuben K. and Amanda Berry: Romain Phelps Berry, in New York, Sep. 30, 1843; Wellington P. Berry, in New York, Jan. 31, 1845; Roselia S. Berry, in New York, Oct. 31, 1848; Charles Elihu Berry, at Salmon Falls, Nov. 9, 1851; Edward Theodore Berry, Aug. 19, 1854; and Kate Adelaide Berry, Sep. 19, 1858, at Salmon Falls. Romaine died at

Prattsville, New York, Oct. 4, 1850, shortly before his seventh birthday. Roselia, Charles and Kate died in infancy—Roselia at sea, April 6, 1851; Charles at Salmon Falls, Mar. 19, 1853; Kate at the same place, Sep. 9, 1859. Wellington P. Berry met his death by falling from a hayrick at Salmon Falls, Oct. 2, 1863. Edward Theodore Berry is the only surviving member of the family.

It was January 26, 1849, that Reuben K. Berry, eager to try his luck in the newly-discovered gold-fields, embarked in the ship "Morrison" for San Francisco, leaving his family in New York until he should be able to provide them a home in the Far West. The voyagers rounded Cape Horn safely and arrived in San Francisco Bay September 20. After visiting Sacramento and Coloma, Berry resolved to settle at Salmon Falls, where he established a store and hotel and also engaged in freighting with ox-teams between Sacramento and the mines. In addition to these occupations he succeeded in growing large quantities of grain and vegetables for the market.

In a short time Berry had become one of the most prosperous and influential citizens of that portion of El Dorado county. He had the honor of being the first Alcalde* of Salmon Falls, an office to which he was appointed in 1850. The following extracts from letters written to his wife during that year will give us some idea of his gains and expenditures:

"I will tell you the prices I have sold at since fall. Pork, flour, sea-bread, rice, beans, coffee, sugar and cornmeal—all six dollars per pound.

* **ALCALDE**, a magistrate—similar to a justice of the peace—in a Spanish or Spanish-American pueblo or town.

Saleratus, candles and pepper—three dollars per pound. Molasses and pickles sell at six dollars per gallon, and vinegar at four dollars per gallon. The price of cheese per pound is \$1.50; potatoes \$1.00; and butter, \$2.50.

“Besides the store, I keep boarders; have had from seven to ten all winter at \$21.00 a week. The chambermaid I pay \$4.00 per day.

“I run two teams on the road, that pay the best of all. I have made \$600 in four days with one team. I pay Andrew Hull \$8.00 per day to drive a team.

“I have just commenced digging my potatoes. They are certainly fine. I shall have about 800 bushels and will sell them for \$15 and \$16 per bushel; besides watermelons, cucumbers and barley, which will sell at the same rate.”

The copy of a ball ticket, given below, and which was printed in 1866, shows that luxuries, as well as necessities, continued to be expensive for a good many years:

A GRAND BALL

for the

Benefit of the Public School

at Salmon Falls

will be given at R. K. Berry's Hotel,

On St. Valentine's Day, February 14th, 1866.

COMMITTEE OF ARRANGEMENTS:

Hon. J. S. Campbell, Irwin Pratt, A. H. Tullar,
 Geo. E. Crooks.

INVITATION COMMITTEE:

Thos. Orr, Sr., John Gaines, Wm. Buchan, Rube K. Berry,
 John L. Burt.

FLOOR MANAGERS:

A. T. Leachman W. L. Moore.

Music by Bentle & Simpson's Band.

Tickets, including supper, \$4.00.

A general invitation is extended to all.

In October, 1850, Berry rented his entire business for a year, and, returning to New York, brought his family out to California, settling in Salmon Falls.

This mining-camp, located on both sides of the South Fork of the American river, some ten miles above Folsom, derived its name from a water-fall in the river, close to the site of the town, whither the Indians from the mountains used to come for the purpose of catching salmon, with which the river abounded.

Previous to this, in 1849, the place called "Higgins' Point," a short distance below Salmon Falls, had been the scene of a very rich gold discovery by one Higgins, a Mormon from Australia. When Berry and his party first arrived, they found only a Mormon settlement there. Such a state of affairs was not satisfactory to Berry, and early in the following year he took out a possessory claim of the land and had a town laid out and surveyed. The streets were arranged on the checker-board plan. Parallel with the river were Water, State, Government and Washington streets. Sacramento street was across Sweet-water creek, and those running at right angles to the river were named High, Polk, Taylor, Clay, Brower and El Dorado streets. The town grew rapidly during the first few years, increasing from a population of 700 in 1820 to 2500 in 1868, after

which it began rapidly to decline.

The early "diggings" in this neighborhood were immensely rich, Higgins' Point yielding some \$200,000. Reuben K. Berry wrote to his wife on July 25, 1850, as follows:

"One man mines for me. He digs me \$30 or \$40 every day.

Despite its former prosperity, however, the history of Salmon Falls is conspicuously lacking in those sensational features which were characteristic of the old-time mining towns. The records tell of no violent crimes done in that settlement.

Berry erected a large two-story frame house in 1850 at a cost of \$5000. Here Berry and his family lived for many years, and here, also, Berry, his wife and three of their children died.

That dreaded scourge, cholera, found its way into the village in 1850, but only one death resulted, that of a young man of twenty, F. B. Millard, whose lonely grave, marked by a plain marble tombstone, can still be seen on the summit of the hill in the rear of the old Berry house. So far as known, the young man had no relatives in California, although his initials are the same as those of Frank Bailey Millard, for years a prominent newspaper writer in San Francisco, and now editor of "The Cosmopolitan."

Destructive floods were of common occurrence in the Sacramento valley, below Salmon Falls. C. W. Haskins relates an incident which is amusing in spite of its pathos.

A German who had lost all his possessions during the prevalence of a flood in Sacramento City, desiring to insure himself against a recurrence of that disaster, moved up into the foot-

hills of El Dorado county and bought a wayside hotel. On a stormy afternoon, our friend, in company with his family and a few neighbors, was seated near the stove, enjoying the grateful heat and inwardly congratulating himself upon his escape from the perils of the lower country, when suddenly his wife sprang to her feet, exclaiming,

"Mine Gott! vat vas dot noise I hear?"

They all jumped up, just in time to see the rear end of the room crushed in by a huge boulder which rolled swiftly over the floor, upset the stove, and then, crashing through the front of the building, rolled across the road and into the creek, about seventy-five yards below.

For an instant fright rendered everyone speechless. Then the old German cried distractedly,

"Ach, mine Gott! mine Gott! How vas dot den? Oh, mine grashus! Vare ve go next! I vas most drowned out mit dose vaters in Sagramento, vas shaken all to bieces by dem earthquakes at San Francisco, und den I vas gone up here, vere dem earthquakes or dem waters do not come at all, mid my family, und, but up here—mine grashus!—dem mountains shust come through mine house and smash dem all to bieces. Mine Gott! vare ve goes now to by oursellufs?"

His wife suggested San Francisco.

"Oh, mine grashus! no, no! Dem earthquakes down dere vill shust shakes mine head off righd away, und gif mine families the shakes all ofer! No, I tink ve vill go pack to Shairmany, for ve can find no place to lif here in dis strange country. By von blace you vas shake all to bieces

py dem earthquake; den you go to anudder blace, und der vater come und vash you all away; den you vas find anudder blace, vare you don't see dem shakes or dem vaters, und den—py shiminy—dem hills is all loose. und dey shust tumble down right ofer on to mine house! I goes to Shairmany, mine frent, pooty quick! Now don't it?"

For twenty years after the gold discovery California was an interesting, but remote corner of civilization, having no means of rapid transportation to or from the older and more settled portions of America. But suddenly all was changed. Work on the Central Pacific Railway was begun in Sacramento during 1863, and five years afterwards, in the presence of an enthusiastic people, was driven the golden spike which announced that the long and arduous undertaking was a success and that an unbroken chain of steel rails now stretched from Sacramento to the Atlantic Coast.

On October 2, 1863, the home of Reuben K. Berry was darkened by the sudden death of his son Wellington, a boy in his nineteenth year, who, while at work in a hayloft on his father's place, fell to the ground, a distance of ten or twelve feet, striking on his head and shoulders in such a manner as to break his neck and to bring almost instantaneous death. Nearly eight years afterward, on March 12, 1871, Reuben Kelley Berry himself passed away, after a lingering illness from consumption. But his faithful comrade, Amanda Phelps Berry, loyally cherished by her only surviving child, Edward Theodore, lived until May 10, 1884, when she, too, sought her rest, having been afflicted with dropsy during the last two years of her life. At his mother's request,

shortly before her death, Edward was married to Miss E. L. Boles of Rattlesnake Bar—now Monte Rio—Placer county, the bride being the daughter of Ralph Boles, who, with his brother, Isaac Boles, arrived in El Dorado county September 20, 1850, and camped for a time in Placerville on the site now occupied by the Court House. Mr. Boles later mined on what is now the Warner Homestead at Pilot Hill, while his brother kept store on the well-known Bayley place in that settlement. Ralph Boles afterward mined for years on the North Fork of the American river—now a part of the boundary line of El Dorado and Placer counties—and he also conducted extensive mining operations on the South Fork of the same river at Salmon Falls. For years he has lived with his son-in-law, Edward T. Berry. Notwithstanding his advanced years, he still retains his interest in an occupation which he can no longer follow, and nothing delights him more than to relate to you at any time some of the varied experiences of his eventful career. His daughter, Mrs. Edward T. Berry, has always borne an unblemished reputation, and is a most excellent example of what a wife and mother should be—devoted to all her family, and raising her children in a normal environment of love and common sense, unsullied by that senseless prudery—so common in many homes—which curbs every natural impulse of childhood and turns your children into men and women before their time.

The four children of Edward T. Berry and his wife are the natural products of inherited tendencies and a model home life. Ralph, Mabel and Stella are no longer children, and they are enter-



SALMON FALLS.

Photo. by Charles Elmer Upton.

ing upon life's duties sustained by those high ideals which insure them the only kind of success worth the having. Ralph is just beginning his studies at the University of California, preparatory to his future career; the girls are following other lines of study, while Edgar is still a child, happy in the plays and the dreams of boyhood. The family left Salmon Falls in 1897, and now live at the Zantgraf mine, near the border of Placer county.

Reuben Kelley Berry did not achieve distinction among his fellow-men, but he left to posterity that most precious of legacies—an honored name.

VII.

ROBERT C. FUGATE,

THE MINER OF A HALF-CENTURY.

In historic old Virginia, "the Mother of Presidents," the tourist may find to-day, should he chance to travel over a certain portion of Russell county, a modest little village bearing the name of "Fugate." But during the earlier years of the nineteenth century, a farm occupied the land across which the streets of the town extend, and there dwelt an Englishman, Martin Fugate, and his wife, Nancy Hobbs Fugate, the parents of the subject of this biography.

Robert Colbert Fugate was born May 18, 1830. Educated in the district school, at the age of six-

teen he began to work out, farming, making rails, or doing ordinary labor, as opportunity offered.

On Monday, March 25, 1850, he left home to go to California. He started with an ox-team across the continent, but was so unfortunate as to meet a body of Indians, who stole his team, leaving him no alternative but to finish the remaining two hundred miles of his journey on foot. It was a hazardous and difficult undertaking, but the stout-hearted young Virginian accomplished it. He reached California about the 27th of August, and on September 3 began mining with a rocker at Ringgold, El Dorado county. He and a partner mined here for a week, and at the end of that time "cleaned up," making just fifty cents apiece after all expenses were paid. The following week the two men worked in Mormon ravine, with very different results. In one day Fugate took out two pieces of gold, worth respectively \$96 and \$109, while his partner found a nugget valued at \$63. Shortly after this, Fugate and his partner mined at the mouth of Kelsey Canyon, near the South Fork of the American river, where in about a month they made \$1800 above expenses, and not long afterward they found another rich spot on Hangtown creek, above the falls at Cold Springs. During 1853 they cut a ditch and brought water into their claim. Their earnings here averaged from fifteen to twenty dollars a day.

Later, Fugate started on a visit to Illinois, but for some reason best known to himself he failed to accomplish his journey.

At the time that Irish Dick was lynched by the mob in Hangtown, Fugate was living in the suburbs of that village. And in April, 1852, he

himself served as attorney for the defense in the Duncan case. Duncan, a Scotchman, had stolen \$600 in gold-dust from an old man at Live Oak Bar who was known as "Scotch Jimmy." When the citizens went to capture Duncan, he threw his booty into the American river. At the trial, after his guilt was proven, death by hanging would have been the sentence passed upon the thief, but Fugate made an earnest plea for his client and Duncan was sentenced to receive thirty-nine lashes, to be dealt by an Irishman named Tom Stratton. But after twenty-six blows had been given him, the rope broke; whereupon the crowd gave Duncan a salt-water bath, took him to Coloma and across the bridge over the American river, and set him free with the warning that if they ever again caught him in El Dorado county they would hang him.

It was November 3, 1854, that the execution of Logan and Lipsey for murder took place at Coloma. It seems to be a consensus of opinion among the living pioneers of El Dorado county to-day that Logan, at least, was innocent of the crime for which he suffered; that the evidence showed conclusively that he had taken life in self-defense. James Logan was charged with the murder of one Fennell in Coon Hollow, with whom he had had a dispute over a mining claim. William Lipsey was accused of murdering Powelson, at Cold Springs. A conviction resulted in each case.

This being the first legal execution in El Dorado county, there were present to witness it several thousand of those morbidly curious people who, like their savage ancestors, find a strange delight in whatever is doleful or ghastly.

At noon Sheriff Buell proceeded to take the condemned men to the scaffold on the hill, the Coloma Hook and Ladder Company, fully armed, acting as a guard around the wagon provided to carry the prisoners. Logan walked out calmly, and rejecting assistance, stepped briskly into the vehicle beside his coffin. But Lipsey, having for a week eaten but little food, was weak in body and broken in spirit, and evidently shrank from his impending fate. After being assisted into the wagon, he remained as if in a half stupor until the place of execution was reached. Logan, with a Bible clasped in one hand, ascended the scaffold firmly, more with the air of a clergyman than that of a condemned man going to meet his punishment. Lipsey, on the contrary, was so weak that he almost had to be carried upon the platform.

Sheriff Buell read the death warrant to William Lipsey and asked him if he had anything to say, but the prisoner shook his head without speaking. While the warrant was being read to James Logan, that individual seemed to be praying inaudibly; but when the usual question was asked he laid down his Bible and addressed the crowd, relating in full his version of the crime he was about to die for, and declaring that he had acted in self-defense. He upbraided a witness who had testified against him, and told the crowd that they were on the road to perdition, but that he, Logan, was saved. He continued speaking in a disconnected manner, but Sheriff Buell interrupted by informing him that it was time for the execution; whereupon, Logan, turning to the Rev. Mr. Taylor, said, "We had better spend the remainder of the time in prayer."

The prisoners were placed upon the drop and the black caps were adjusted. Logan uttered a silent prayer; Lipsey made neither sound nor motion. The clergyman uttered an eloquent plea for the souls of the condemned men, and the drop fell.

But, unaccountably the knots had slipped, and the prisoners were uninjured. Logan raised the cap from his eyes, rose to his feet, which were untied, and calmly, with little assistance, re-ascended the scaffold. Lipsey had to be carried up.

The ropes were again adjusted. After his eyes had been covered, Logan demanded to see a watch. The cap was raised and a watch held before him. He remarked, "Ah, you have twenty minutes yet! If it was two o'clock I would demand my liberty under the law;" and he turned away with a subdued laugh.

Lipsey had to be held up. After being placed once more upon the drop he said in a low tone, as if to himself, "I don't think I'm a murderer at heart." Just before the rope was cut he said, "Be quick as you can—I am fainting—I am just gone."

Logan said, "Lord Jesus, receive my spirit." The clergyman prayed briefly, and James Logan and William Lipsey died with scarcely a struggle. Whether they suffered justly or unjustly, no mortal can know.

Lipsey was about twenty-five years old. He left a written confession, in which he asserted that liquor alone was responsible for his downfall. Logan, who was forty-seven years of age, also left a confession. From all accounts, Lipsey was unmarried. Logan had a wife and sev-

eral children.

It is a relief to turn from this gloomy picture to a far brighter one which has been told by one of Robert C. Fugate's brother pioneers.

A tall and lean New Englander, who was engaged in mining, was walking along a toll-road above Placerville one Sunday afternoon on his way home.

He had been visiting some of his female acquaintances, and, naturally, was attired in his best suit. In lieu of a collar, however, he wore a white handkerchief. Because of his close resemblance to a certain preacher who often visited that part of the country, he was known among his acquaintances as "the parson."

Sauntering along leisurely, he was startled by the abrupt appearance of a highwayman, who, stepping out from behind a tree, presented a revolver and demanded the Yankee's money. Now, the New Englander was unarmed, but he had in his pocket a purse containing some \$250, which he didn't care to lose. An idea came to him. Why not play the part of a poor minister of the gospel? With that old-fashioned black coat and white necktie on, he surely resembled a preacher.

He answered the fellow in a drawling tone, saying that unfortunately his profession didn't enable him to carry about much money, but that he had a prayer-book which might be sold for a trifle. He put his hand into his pocket to get the book, but the "road agent" ordered him instantly to withdraw his hand, and added that if he didn't give up his money at once he would be shot. The Yankee said drawlingly:

"If I must go hence, first let me pray, won't

ye?" And he promptly knelt.

The highwayman, thinking he had encountered a real preacher, turned away in disgust, remarking.

"Oh, pray away all night, if you like, and be d—d!"

Four years later, in Sacramento, the "parson" and several of his acquaintances were enjoying themselves in a bar-room of a hotel when a well-dressed man, who seemed to be an employee there, stepped up to him, and, drawing him to one side, asked him if he had ever lived upon the toll-road a few miles above Placerville.

The "parson" replied that he had, and that he still lived there; that his home was in a canyon near the road, where he was mining.

"You were a minister some five years ago, were you not?" the stranger inquired.

"Why, no, I weren't at all. They only called me 'parson' because I looked so much like one. But say, stranger, why do you ask me these questions?"

The stranger replied: "Well, because when that road agent demanded your money, you remember you said you were a preacher, and got right down in the dust to pray."

"Yaas," said the "parson," "I know that; but you see that chap got the drop on me, and as I had no weapon with me I was bound to save about \$250 that I had in my pocket."

"Well," was the stranger's comment, "you did it well, too."

"Why?" asked the other.

"Why!" echoed the stranger, "because I was the chap who was concerned in that little funny business."

"The h—l you was!" the "parson" exclaimed. "Why, you don't say so! Really, though?"

"Yes, sure. You see I was on my way home from the other side and was dead broke, and I just thought to myself, 'Now here is a good chance.' It was my first and last trial in the business, for the idea of robbing a country preacher broke me all up. Do you notice that I am now bald-headed?"

"Why, yes," his auditor answered. "What's the matter?"

The stranger explained: "I was so disgusted with myself that I shed my hair all out on my way home."

"Well, I'll be gol-darned!" ejaculated the "parson." "Let's go and take suthin'."

Robert Colbert Fugate, the Virginian, still is at his old home on Granite Hill, three or four miles south of Coloma. He is unmarried, lives alone in his little cabin, and spends most of his days in "prospecting," though not with the success of yore. A reader and a student, he finds no difficulty in occupying his leisure hours. He has health and contentment, and he faces his waning years and the greater life beyond in perfect serenity.

VIII.

GEORGE W. HENRY,

MERCHANT, SCOUT AND MINER.

A member of the society of "Territorial Pioneers of '49 and '50," George W. Henry is a typical example of the man who lives mainly in the past, and whose convictions, political and non-political, are those of a half-century ago.

His birth-place is Cincinnati, Ohio; the date of his nativity was August 27, 1825.

On the 8th of May, 1850, George W. Henry joined the emigration to California, beginning his journey at St. Joseph, Missouri. Reaching Placerville, El Dorado county, August 10, 1850, he was first engaged in running the boarding-house

at the Empire Hotel; thence going to Coloma, where he secured a position in Winter's Hotel. Afterward, in partnership with a Mr. Clark, he kept a house-furnishing store in the same town, besides spending a part of his time in mining.

The Coloma of those days was a centre of attraction for the miners of that portion of the county. On Sundays many of the "prospectors" would come to town with their bags of gold-dust, begin gambling and go home penniless at night-fall. In addition to the saloons and gambling-halls, long tables were often placed in the principal street, and there hundreds of men would sit for hours and see their earnings melt away. Drunken miners would stagger up to the table, throw down bags of gold-dust and recklessly bet them on some roulette number. Often the bags would burst and scatter the yellow grains broadcast. Boys would afterward "pan out" the street and would often find several hundred dollars' worth of gold-dust.

In 1852 Henry was one of a party of men that went on a mine-hunting expedition to the province of Sonora, Mexico. Contrary to the law of that province, they entered its confines with fire-arms and without a permit. They sent word to the governor, who ordered their arrest and caused their arms to be stacked in the park. Still, the Americans were cordially treated, being entertained in the homes of the people while they were waiting; and when the permit came, a number of old men volunteered to guide them to the mines. But the guides became afraid and returned, and our friends gave up their search. On the way home the party went through the Mexican rendezvous of the notorious Joaquin

Murieta, but they were not molested by any of the bandits.

When Logan and Lipsey were hanged in Coloma, Henry served as one of the guards. He was also present when Crane and Micky Free met their punishment on the scaffold. W. T. Armstrong, a well-known pioneer, now living in Grizzly Flat, El Dorado county, has furnished the principal details of the Micky Free and Crane affairs, as related in this book.

On a little ranch at the head of Ringgold creek there lived, in 1855, a man whose name was Newnham. He had two daughters—Susan, who was unmarried, and another named Mrs. Brock, whose husband owned a small shingle mill in the canyon that empties into Weber creek near A. Darlington's orchard.

At this time W. T. Armstrong and Alonzo Story were running a tunnel at the head of the east fork of this same canyon, just under what is now—in 1906—the ranch of John Wall. On August 11, 1855, two men came to the mine and informed Armstrong and his partner that they were searching for a man named Crane, who that very morning had shot and mortally wounded Miss Susan Newnham.

The next day—Saturday—Armstrong and his partner heard loud shouting and a confusion of voices in the direction of the Newnham place, some three-fourths of a mile distant. They quickly dropped their tools and ran over to learn the cause of the uproar. When they came within sight of the house they beheld a great crowd of men on the slope which ascended to the left of the road. Upon joining the throng, they found that the men were making preparations to lynch

the murderer. One man was up in a large oak tree, putting one end of a rope over a branch, while the other end was tied into a noose. It was the crowd's intention to hang Crane in full view of the house where the murdered girl lay.

From Jesse Steiner, a partner of Brock, Armstrong learned the particulars of the shooting. It seems that Crane had gone to the gate in front of the Newnham residence that morning, and calling to John Newnham, Susan's cousin, asked him to tell the girl to come out to the gate, as he wished to talk to her. At first Susan refused to comply, but her cousin urged her to go and hear what Crane had to say. She finally went, and Crane, after talking with her a few minutes, drew his pistol, and throwing one arm around the girl, fired. But his aim was poor, and Susan, her shoulder bleeding, broke away, and ran toward the house. Just as she was going up the steps at the door, Crane fired again, and the bullet struck the girl fairly in the back of the head just under the coil of her hair, and, ranging forward and upward, lodged against the skull, slightly above the forehead. John Newnham ran immediately toward the shingle-mill to inform his other cousin and her husband of what had occurred. Steiner hurried over—Mr. and Mrs. Brock following—and was the first outsider to reach the spot of the tragedy. In the house he found Crane, who had helped to lay Susan on the bed and was now talking to her. Crane asked, "Are you not my wife, Susan?" But she answered, "No. Go away and let me alone. You have hurt me enough now." Crane then left the house and went toward the woods. He was not found that day, but the next morning he came

back to see how Susan was, and gave himself up to some men who were at the place. The news quickly spread, and by the time W. T. Armstrong and his partner reached the spot there were probably two thousand men gathered there.

Crane was sitting on the ground, and appeared to be the coolest man in all the throng. His arms and hands were covered with blood from gashes he had made in his wrists in an endeavor to commit suicide. He stated that he had tried to shoot himself, but that his revolver wouldn't work; then he had attempted to go by hanging, but his children had clung to him so persistently that he could not.—He had a wife and family living in an Eastern state.—He said that he was anxious to die, but did not like the idea of hanging; but if they would give him a revolver he would show them how a Kentuckian could die.

Some of the crowd were in favor of hanging him then and there. Coloma was still the county seat and the Grand Jury was in session at that time. Word had been sent to Sheriff Buell, asking him to come to the rescue; and many of the throng were doing all in their power to protect Crane until the officer could arrive. But the men who favored lynching proposed to appoint a sheriff, judge and jury, go over to Red Hill—a mining-camp half a mile distant—and give the culprit a trial. The motion was carried; Sam Smith of Diamond Springs was chosen sheriff, and he took charge of the prisoner and started, followed by the entire crowd, some of whom carried the rope, being anxious to have an opportunity of pulling on it when Crane should be safely noosed at the other end. Others were willing to be passive spectators at a lynching,

but declined to take an active part; while still others wanted to see Crane dealt with legally.

A cabin was found and "sheriff," "judge" and "jury" proceeded with the "trial" behind a closed door; but before the "case" was ended, Sheriff Buell, with a posse of able-bodied men—one of whom was the late Henry Larkin—came galloping up.

Sheriff Buell dismounted from his horse and started for the door; but the mob, closing about him, completely barred his progress. He mounted his horse and rode into the crowd, talking to its members and urging them to respect the law, and assuring them that Crane would receive the punishment which he surely merited. He then called upon every able-bodied man to assist in protecting the culprit, and warned them that everyone who resisted laid himself liable to the law. This admonition deterred a great many persons from taking an active part in the affair. Sheriff Buell again dismounted; and while a mounted member of the posse held his chief's horse, another rode through the crowd to a little window in the cabin, and, taking the noose end of the rope which someone inside handed out, he dropped it over the horn of his saddle, and, putting spurs to his horse, dashed away with the prize.

Meanwhile Sheriff Buell, conspicuous in the throng because of his towering height—six-and-a-half feet--was fighting his way to the door. Reaching it finally, amid a confusion of yells of "hang him!" "lynch him!" the Sheriff turned his back to the door, and, drawing his revolver, said grimly, "I will shoot the first man that lays a hand on me!" So saying, he threw himself

against the door, forcing it open far enough to enable him to get one arm and shoulder inside; then, lifting it from the hinges, he entered. After a short struggle, he fought his way out with Crane under his arm, while the angry men roundabout kept grabbing wildly at the prisoner until all of his clothes except undershirt, overalls and socks had been torn from his person. Members of the posse had horses in readiness. Sheriff Buell threw Crane upon one steed, mounted another himself, and in a twinkling the brave officer, with his prisoner, had swept like a whirlwind through the mob and was gone.

Sheriff David Buell's heroic deed stands out in vivid contrast to the pusillanimous conduct of some of our other peace officers, among whom might be mentioned Sheriff William Rogers of "Indian War" and "Bullion Bend" fame.

The Grand Jury being in session at Coloma, Crane was indicted without delay. A few days later court was convened and the murderer was tried, convicted and sentenced to be hanged on October 26, the same day which was set for the execution of Mickey Free. After his conviction, Crane wrote a confession, in which he gave his reasons for killing the girl. He was a firm believer in spiritualism and a scoffer at all other religious theories and creeds. He asserted that Susan's ideas had been the same as his own on this subject, and he and the girl had mutually agreed that, as they could not marry and live together in this world, he should kill her and then kill himself. Another statement he made was that he had killed Susan in order to hide her shame. But all persons who were well acquainted with the girl declared both of Crane's

statements to be utterly false. However, Crane died firm in the belief that he and Susan Newnham would be united in the "spirit world."

In relation to Mickey Free, who met his death on the same date, "The Georgetown News," in its issue of October 4, 1855, quoted as follows from "The San Francisco Herald" of September 29, in the same year:

"Some months ago, a large section of the interior country, embracing portions of the counties of Calaveras, El Dorado and Placer, was the theatre of a series of horrible and mysterious murders attributed to Mexican banditti. In most cases, the victim was a miner, known to have been working a good claim, and situated in a locality where in case of an attack by robbers he would have little chance of escape, and still less of assistance from neighbors. In several instances, men were murdered and their bodies burned on the spot; and upon making search for the missing, the only ground for suspicion that the party sought for had been murdered, was in the fact that his tent or cabin bore traces of having been rifled and of the evident hasty departure of the occupant. The officers of the law were unable to gain any trace to the route pursued by the murderers, or of their number and character, although it was universally believed that they were Mexicans. Some weeks since, a murder was committed in El Dorado county and suspicion attached to a man named Wilson, and although there was nothing of proof sufficient to warrant his arrest, a deputy sheriff of that county resolved to try what could be done by stratagem, and accordingly approached Wilson and charged him directly with the murder. Wil-

son manifested every symptom of guilt, and immediately exclaimed, 'Have they caught Kelly?' The officer said, 'Yes, we have got Kelly,' when the other replied, 'Then the d—d scoundrel has blowed it upon me!' Wilson was immediately taken to Coloma jail, where he was induced to become State's evidence, with the condition that he should be liberated upon the conviction of his partners in crime. He then commenced a long narrative of murders, to which he had been a witness and party, and implicating two men named Kelly and Mickey Free, with whom, it appears, he was associated in nearly every murder that has been committed in the section of the county specified during the last year. He related his story with such minute detail, apparently exhibiting such a wonderful power of memory, that his listeners were almost induced to the belief that they were being deceived by the imaginings of a madman. Many of the circumstances which he related, however, were in some measure known to the officer, and a careful note was taken of all the description which he gave relative to the position of the bodies of men that had been murdered by him and his companions, and burned as a precaution against immediate investigation of the murder. In every instance these descriptions were found to be wonderfully correct, even to such details as the tearing of a garment and stuffing the fragments into the mouth of the victim, to prevent his calling for assistance. Bodies of murdered men, described by him as having been burned at a distance from any habitation, were found in the exact position indicated. The form and color of a rock, the peculiar inclination of the branches

and shrubbery of a tree in a spot visited by him but once, and then under circumstances which gave little time or opportunity for remark, were described by him with such accuracy that the officers had only to refer to the chart which he had marked out for their guidance, and they were sure of finding the objects which it indicated. Soon after the arrest of Wilson, a policeman of this city visited him in his cell at Coloma jail, with the view of ascertaining if he was the person of the same name who is accused of murdering a man in Monterey county, some years since. As soon as the officer entered the cell he saw that Wilson was not the man he was looking for, and immediately turned away—when the jailer remarked to the officer: ‘I’ll bet Wilson can describe to me every article of your dress.’ The officer remained in a position where he could listen without being seen by the prisoner, and was startled to hear a complete description, not only of his apparel, but even of peculiarities of his person which he himself had never previously noticed.

“It is admitted by all that a man of such remarkable talent, capable of employing it in the manner illustrated by his own story of crime, is too dangerous a person to be allowed his liberty. Mickey Free, one of the murderous trio, has been arrested, and will undoubtedly be executed. Kelly had not been captured at last accounts, but it is believed that he is in the State, and cannot finally escape the punishment which is justly due for the crimes he is said to have committed.”

Such was a portion of the blackest record of crime in El Dorado county annals. Many old

pioneers assert that Mickey Free, who seems to have been the leader of the gang, had boasted frequently that he would outdo even the bloody deeds of Joaquin Murieta and his band of cut-throats.

On October 26, 1855, James B. Crane and Mickey Free paid the penalty for their misdeeds. W. T. Armstrong, who was at the execution, and whose tenacious memory has supplied the details of the tragedy, estimates that there were probably five thousand spectators, comprising men and boys and a certain class of women.

Crane had prepared an address, which he delivered as coolly as if he were making a speech from a political rostrum. Then, in a clear voice, unshaken by fear or excitement, he sang, to the tune of the "Indian Hunter," some verses he had composed for the occasion. The song finished, Crane removed from his eyes a pair of colored glasses which he constantly wore, put them into the case, and laid them in his hat; took off his cravat, folded it carefully, and placed it with the spectacles; then unbuttoned his collar and turned it back as if in readiness for the hangman's noose. He seemed impatient for the end to come, yet acted as naturally as if he were preparing for a pleasure trip.

In the meantime Mickey Free, his hat cocked over one eye, was walking back and forth upon the scaffold, eating peanuts and flipping the shells around him. He examined the noosed ropes which hung from the beam over the trap, made a feeble attempt to dance, tried to look unconcerned and seemed to be enjoying his temporary notoriety.

When Crane stopped singing, Mickey Free

stepped to the front and tried to sing, but he broke down completely. The two men were now led to the trap and the ropes were adjusted. Mickey said, "Now, do this thing up right, boys." Crane, as the black cap was drawn over his face, exclaimed, "Here I come, Susan!" When they dropped, Crane died without a struggle; but the knot slipped to the back of Mickey Free's neck and he was literally choked to death. His suffering was frightful.

In this manner died two of the most remarkable freaks in the history of El Dorado county: Mickey Free, with scarcely a redeeming trait of character; and James B. Crane, a product of spiritualism, that insane doctrine of hallucinations and superstitions, which has furnished, and continues to furnish, a considerable portion of our lunatics and criminals.

The lines composed and sung by Crane, although they possess but little merit from a literary standpoint, are here given in evidence of the erratic workings of a weak and diseased mind:

"Come, friends and all others, I bid you adieu;
The grave is now open to welcome me through;
No valley of shadows I see on the road,
But angels are waiting to take me to God.

"The body no longer my spirit can chain;
This day I am going from sorrow and pain;
The necklace and gallows will soon set me free,
Then joyous and happy my spirit will be.

"Then millions and millions of ages may roll—
Progression be ever the theme of my soul—
To beauty and grandeur I'll ever be wed,
And worlds without number my spirit shall tread.

"Ye wordlings and Christians may sneer and may frown;
Your unfounded systems are fast tumbling down;
And sorrow and sadness will give way to mirth,
And peace and good-will shall extend o'er the earth.

"I'm going, I'm going to the land of the free,
Where all love each other and ever agree;
I'm going, I'm going, I'm going, I'm gone:
O friends and relations, 'tis done, it's done."

Thus closes one of the many sensational episodes which characterized life in El Dorado county during the earlier years of George W. Henry's sojourn in that portion of the Far West.

At the outbreak of the Civil War, Henry, whose sympathies lay with the Southern people hurried South and received an appointment in the Secret Service of the Confederacy. Here he served until the war closed, when he returned to California.

Since that period, and until the infirmities of age prevented, he followed his old occupation of mining. Living in the neighborhood of historic Kelsey—now Slatington—he and his faithful wife are always ready for an agreeable reminiscent chat with friend or stranger.

IX.

GELWICKS AND JANUARY,

THE PIONEER EDITORS.

The modern newspaper, be its field great or small, is the most potent influence for good or evil in every neighborhood; and the man whose privilege it is to be the founder of a pioneer journal, which records the beginning of history in a new and growing community, should deem his lot an especially happy one.

Such a distinction was accorded Daniel W. Gelwicks, founder of "The Mountain Democrat" in Placerville, El Dorado county, the "Empire County" of old-time California.

Daniel W. Gelwicks was born in Hagerstown, Maryland, December 16, 1821. Leaving Mary-

and when he was 20 years of age, he went to Belleville, Illinois, where he took up the profession of journalism, which he followed until the Mexican War broke out. Joining Colonel Bissell's regiment of Illinois Infantry, he served creditably throughout the war; then, following the example of other veterans, he journeyed to California, the richest portion of the conquered territory. Here he mined for a time, but soon returned to his old profession of journalism. Going up into El Dorado county, he first started a paper in Coloma, in connection with John Conness, afterward a United States Senator. After a few months, in 1852, he left Coloma and moved to Placerville, then the most important mining town in the State, and started the "Mountain Democrat." In February, 1856, William A. January became a partner of Mr. Gelwicks in the management of the paper. A paragraph from the prospectus of that journal announces:

"The 'Mountain Democrat,' as its name indicates, will be thoroughly and unchangeably democratic. The principles of the Democratic Party will be cordially, earnestly, zealously supported by us. All our feelings, all our sympathies are with that party. On all occasions and under all circumstances we shall fearlessly, frankly, honestly, express our views."

The paper quickly became a power in the politics of the State. The senior partner, Mr. Gelwicks, proved himself to be a journalist of great ability. But the stand taken by his paper during the troublous days of the Civil War was the cause of much bitterness and controversy. In many of its utterances at that time it rivalled

even the most rabid secessionist sheet in its senseless, bigoted and malicious attacks upon President Lincoln at the time that ablest of statesmen was doing his utmost to save the Union and to rid the nation of that hideous canker, slavery. The "Mountain Democrat's" editor stood in the front rank of journalism, but the effect of his utterances during that fratricidal strife was extremely damaging to the cause he pretended to uphold. That is the plain truth; and neither the fulsome editorial published by that journal on the occasion of Lincoln's assassination, nor all the explanations of its friends can exhibit in any better light the attitude of the "Mountain Democrat" in the hour of the nation's peril.

In 1861 Mr. Gelwicks was married to Miss Frances Slater, daughter of the Reverend Nelson Slater of Sacramento. This same year he became a member of the Masonic fraternity, an order in which he retained an ardent interest until his death.

A few years after his marriage, he was elected State Printer, which office he conducted ably and economically. At the close of his four-years' term, he sold the "Mountain Democrat" and went to Oakland, where he spent the remainder of his life. He represented Alameda county one term in the Legislature. Later he became editor and proprietor of the "Oakland Independent." His connection with that journal ended when Governor Stoneman appointed him Director of State Prisons. His management of that arduous position was such as to win the admiration and confidence of his colleagues. Mr. Gelwicks died suddenly November 24, 1884.

Daniel W. Gelwicks did much, in his official and his later journalistic career, toward the up-building of his adopted State. He was a man of great natural kindness and his friends were legion. He deserves a conspicuous place in California's history.

William Alexander January, junior partner in the firm of Gelwicks and January, was born in Marysville, Kentucky, February 16, 1826. He learned the printer's trade at Corydon and New Albany, Indiana, and came across the plains to California, by the Lassen route, in 1849, arriving at Sacramento in October of that year. During the winter of 1849 and the summer of 1850 he worked in the mines along the Feather river; went to Placerville during the fall and mined in Hangtown creek, Cedar and Oregon Ravines and various other places until the autumn of 1853, when he was employed in the office of the "Empire County Argus" at Coloma. When the "Mountain Democrat" was established in Placerville, Mr. January was employed on that paper, and in 1855 he became a partner with Mr. Gelwicks in the ownership of the journal.

William A. January was married in Placerville, April 5, 1855, to Miss Mary Helen Murgotten. Nine children were born to them, two of whom died in infancy, and another at 15 years of age. The remaining children grew up and married, and all but one are still living.

In December, 1865, Mr. January sold his share in the "Mountain Democrat" to Mr. Gelwicks, came to San Jose and started the "Santa Clara Argus," which he published until 1879. Before leaving Placerville, Mr. January had served one term as County Clerk of El Dorado county, and

he is now filling the same office for the fourth time in Santa Clara county.

That William A. January is an efficient and popular servant of the people is attested by the subjoined list of offices he has held in California since 1872:

Treasurer and Tax Collector of Santa Clara county, 1872-1879; State Treasurer of California, 1882; Tax Collector of Santa Clara county, 1892 to the present time, 1906.

Besides his attainments in politics, Mr. January has held prominent positions in the various Masonic fraternities.

Up to 1856, four years after Daniel W. Gelwicks founded the pioneer newspaper, Placerville had suffered little injury from fires; but on April 15, 1856, while a large number of people were gathered in the Placerville Theatre, to see McKean Buchanan in the character of "Richelieu," a fire broke out in the Iowa House on Sacramento street and in a very short time had spread to the neighboring houses, all of which, except the Post Office and Hooker's store, were built of the most combustible material. Dr. Rankin's office and the adjoining building, the Placer Hotel across the street, the Orleans Hotel and a number of smaller buildings, all fell a prey to the flames. Then Stephens' new livery stable ignited, and had it not been for a sudden changing of the wind the entire town would probably have gone up in smoke, despite the exertions of the fire department, aided by many citizens and the members of the theatrical troupe. Even as it was, the property loss of more than one citizen represented to him the labor of five long years. Cary lost \$15,000; Levan, \$12,000;

and the other sufferers, some twenty in number, had lost amounts ranging from \$100 to \$4000.

One incident of the conflagration deserves special mention. After the inmates of the Iowa House had rushed in terror from the building, and just as the firemen drew near, a Mrs. Rockwell suddenly cried out that her youngest child had been left, lying asleep, in one of the rooms of the burning structure. Hearing this, Jackson L. Ober, the fourteen-year-old son of Dr. Ober, ran forward, and, regardless of the danger, plunged into the flame and smoke and hurried to the room where the infant lay. Gathering the child into his arms, he cautiously felt his way back through the stifling air, reached the door and laid the little one within its mother's arms just a moment before the burning walls collapsed. A burn on the young hero's arm left a scar that was a lasting memento of his brave act.

That was a year of misfortune for the busy mountain city. On July 6 another fire occurred which literally swept the main portion of the town; while on the 7th of October a conflagration started in the Pittsburg House of Upper Placerville, destroying the greater part of that suburb. This fire is said to have been caused accidentally by John Murdock, who was a tenant of the hotel, and went to bed, intoxicated, shortly before the discovery of the flames, and was burned to death. The property losses were as follows; J. W. Foster, \$5,500; S. W. Wilcox, \$8,000; W. Flagg, \$5,000; A. C. Crosby, \$3,000; N. Wonderly, owner of Pittsburg House, \$3,009; Mr. Monroe, \$3,500; E. Brewster and Co., \$2,000; Dr. S. Baldwin, \$3,000; J. M. Dorsey, \$3,000; Mr. Gilbert, \$500; Mr. Fleischman, \$250; Alden &

Stout, \$1750; Joe Acker, \$750; Mr. Morrison, \$2-000; M. Livingston, \$1,000; Mr. Spencer, \$1,000; William Christian, \$1,500; Jacob Wirt, \$1,000.

Between three and four o'clock in the morning of November 6, 1864, a fire was discovered on Benham Place. It spread rapidly along Benham Place, Quartz, Pacific and Sacramento streets, threatening the entire town; but it was fortunately checked. Considerable property was destroyed, however. W. Cooper, lost fifteen houses; J. Brindley, four; J. Patton, ten; J. Wray, six; Mr. Howard, four; H. Otis, nine; Henry Lewis, three; J. Jeffrey, two; L. Landecker, three; Mr. Simmons, one.

Again, on August 10, 1865, another fire started, this time on Quartz street, in a building owned by Mr. Seeley. The principal losses were: Thomas Alderson, \$10,000; William Thatcher, \$5,000; Thomas Hogsett, \$2,000; Mr. Phipps, \$1,000; Mr. Seeley, \$3,000; R. H. Black, \$1,600; John Marcovich, \$1,500; Mr. Woodland, \$1,000; L. Landecker, Howard Espanna, H. H. Thall, R. White and J. B. Jenkins, from \$500 to \$1,000 each.

Great had been the ravages of the "fire fiend" during those few short years; but despite the temporary loss, Placerville was eventually benefitted by its afflictions; for better structures and a more efficient fire department have gradually taken the place of the old. And "The Mountain Democrat," as well as its later-day contemporaries, has kept pace with the march of progress. The days of the old hand-press have vanished and now a rapid, motor-driven cylinder printing-press turns out each edition for the waiting subscribers.

X.

GEORGE C. RANNEY,

SPECIAL DEPUTY-SHERIFF AT BULLION BEND.

Descended from the highest types of Anglo-Saxon manhood and womanhood, and inured for more than three centuries to the rigors and hardships of a cold and storm-swept coast, the people of New England have naturally become leaders in every line of human endeavor. When chattel slavery and "state rights" threatened the life of the nation, New England's sons were among the first to protect the heritage come down to them from the battle-fields of the Revolution; and to-day, when a far greater peril, industrial slavery, menaces the very foundation

of America's liberties, again are the descendants of the Puritans marching in the vanguard of the army of emancipation.

George C. Ranney, a true son of New England, was born in Middletown, Connecticut, April 22, 1827. When the boy was fifteen years of age, the family moved to Hartford.

In December, 1848, George C. Ranney became a member of the "Hartford Union Mining and Trading Company," organized principally for the purpose of mining and trading in California. On the morning of February 17, 1849, Ranney, together with the other members of the Company, boarded the ship, "Henry Lee," lying in the East River, New York City, and began the long and perilous trip around Cape Horn. Arriving in San Francisco Bay on September 13, Ranney, House, McKinstry, Griggs, Prindle and others chartered a steamer—paying \$25 apiece, and came up the river to Sacramento. In that city they hired a worn-out ox-team to convey themselves and their effects to Hangtown, as it was then called. Reaching the latter place about the first of November, they began mining as soon as their health permitted. All the party had become sick on the way up from Sacramento, probably on account of the sudden change from ship-board to land.

They settled in a cabin which they bought, partially finished, and prepared for winter before they began working. During his first day of "prospecting" in Spanish Ravine, Ranney took out about \$76 with a little rocker he had made, from a description, while aboard ship. Ranney thinks that he made the first "long-tom" seen in California, but he is not positive. Ranney fol-

lowed mining, diversified with an occasional job of carpentering, until 1861. It was shortly after this that he was elected constable in Placerville.

Between nine and ten o'clock, on the evening of June 30, 1864, the two coaches of the Pioneer Stage Line, bringing silver bullion from Virginia City, Nevada, were stopped at Bullion Bend, above Sportsman's Hall and fourteen miles from Placerville, by six men, armed with shotguns and pistols, and eight sacks of bullion were stolen. Ned Blair was driving the first team, and Charles Watson the second. Blair was ordered to halt. The robbers next demanded the treasure-box of the express company. Blair answered that he had none; whereupon he was commanded to throw out the bullion. He replied, "Come and get it!" Two of the bandits at once covered him with their guns, while two of their companions came forward and took out the bullion. They did not secure the treasure-box, however. Blair requested them not to rob the passengers. They replied that they had no intention of doing so, but that all they wanted was the treasure-box of Wells, Fargo & Company.

Seeing that Blair's stage had halted, and supposing that the driver had met with an accident, Watson stopped his team, got down, and hurried to his assistance; but two of the robbers advanced, with shotguns leveled, and, ordering him back, at the same time demanded the treasure-box and bullion. Watson had no alternative but to comply. The bandits took from his stage a small treasure-box—from Genoa—and three sacks of bullion. Both stages were filled with passengers, but, as it happened, none was armed.

The leader of the band, before leaving, handed

Watson this receipt:

"This is to certify that I have received from Wells, Fargo & Co., the sum of \$——, cash, for the purpose of out-fitting recruits enlisted in California for the Confederate States army.

R. HENRY INGRIM,

Captain Commanding Company, C. S. A."

"June, 1864.

Between one and two o'clock the next morning the two stages came into Placerville, bringing news of the robbery. Immediately Sheriff William Rogers appointed Constable George C. Ranney a special deputy-sheriff; then the sheriff, accompanied by Ranney, Deputy-Sheriff John Van Eaton, Deputy-Sheriff Joseph Staples, and also a "trailer" and a posse of six or eight men, started in pursuit of the robbers. Sheriff Staples and the posse secured a fast freight wagon and hurried to Bullion Bend, the scene of the hold-up. Ranney, Van Eaton and Staples first went on horseback to the junction of the Placerville and Diamond Springs road and a cross-road which led from the stage-road at a place near Bullion Bend. Going up the Diamond Springs and Placerville thoroughfare, they discovered the track of the robbers, who had evidently taken another road and gone south, crossing the North Fork of the Cosumnes river.

Ranney and his companions held a consultation. Van Eaton, who was still suffering from a bullet wound received in a skirmish with another gang of criminals some weeks before, did not feel able to stand a long ride. Accordingly, it was decided that Van Eaton, instead of accompanying Ranney and Staples, should go to the scene of the robbery and notify Sheriff Rogers of

their discovery of the bandits' trail. So Van Eaton turned back and Ranney and Staples crossed the river and followed the tracks of the robbers. They reached the Somerset House at the summit of the hill beyond the stream, just after daybreak. Here they wished to make some inquiries; accordingly they dismounted, and, hitching their horses, started toward the house, Ranney going to an open door at the farther end of the building, while Staples went to the kitchen door.

When Ranney entered the room, he beheld five or six men, some lounging about on the floor and others on a sofa at one side of the apartment. All were armed, and at the moment Ranney stepped inside he noticed that every one of them put a hand upon a revolver. Naturally he felt instantly that these were the men he was looking for. But, without exhibiting any signs of suspicion, he quietly said, "Good morning," and asked the road to Grizzly Flat. He was told that he would have to ask the landlady, as the men were strangers and could not give him any directions. Ranney thanked them, said "Good-by," and, stepping outside, walked towards the spot where the horses were tied.

Ten or fifteen feet away Ranney met Staples coming along a narrow walk and carrying a double-barreled shot-gun, which he was in the act of cocking. Ranney motioned him to go back.—It was not safe to speak aloud, as the robbers were within hearing distance.—Staples did not heed the warning, but walked on in a very excited manner; whereupon Ranney put his hand on the other's shoulder to stop him. But the excited deputy-sheriff brushed his com-

panion aside and hurried on to the door. Ranney, not wishing to desert his foolhardy comrade, followed. They stepped into the room side by side. Staples instantly leveled his gun and called upon the bandits to surrender. The words were scarcely spoken when shots came from all directions. Staples fell, sank in a heap, fired, and dropped at Ranney's feet. His shot struck Poole, one of the robbers, tearing away one side of his face. Staples, having a shotgun, had drawn the first fire of the robbers. Two shots had gone clean through his body, and he died almost at the moment his own gun was discharged. Ranney and he had fired simultaneously. Now, seeing that his companion was killed, and that he alone must contend with six desperadoes, Ranney turned to flee. As he did so, a ball struck him in his side and lodged in the muscles of the lower back. But he managed to get out of the house, and he then broke into a run toward the horses, intending to hide behind them and make an attempt to stop the bandits, who had rushed out and were shooting at him. He succeeded in gaining the desired shelter, but in a twinkling his pursuers had dashed forward and uncovered him.

Seeing this, Ranney sprang up and made for a large boulder some fifty yards distant, turning sidewise and answering the fire of the robbers as he ran.

Suddenly a bullet struck him in the right side, just below the line of the heart. A gush of blood came from his mouth and he fell to the ground, struggling for breath.

The five bandits rushed forward, and, with their revolvers pointed at Ranney's head, de-

manded,

"Is there any more of you fellows around here?"

Ranney replied, "No," and the outlaws continued tauntingly,

"Did you think that two damned Yankees could capture six Confederate soldiers?"

Then followed more oaths and abuse, and Ranney had resigned himself to his fate, when suddenly a young woman emerged from the house and came hurrying toward him.

It was Mrs. Reynolds, a grass-widow who was staying with the landlady, another Mrs. Reynolds, though not a relative.

Running swiftly forward, the woman shoved two of the bandits aside, and going up to Ranney's head, cried scornfully,

"Ain't you ashamed! Shooting a dead man!"

At that the robbers, evidently thinking that Ranney was too far gone to harm them, lowered their pistols and went back toward the house. Then, crossing the road, they entered the stable, brought out their horses and saddled them. Tearing a piece from the table-cloth, they banded the side of one of the men whom Ranney had wounded during the flight from the door. This done, they rolled Staples' body over and robbed it of a watch, some money and a pistol, took forty dollars and his revolver from Ranney, and after substituting two of their poorer horses for those of Ranney and Staples, they mounted and rode off.

With the assistance of Mrs. Reynolds, Ranney succeeded in getting back into the house. He was hardly a moment too soon; for one of the robbers returned, and, entering the room where

lay his wounded comrade, Poole, he coolly appropriated his pistols and then rode away again, leaving his companion in crime to die or be captured, as the case might be.

Ranney lay on an old mattress in another room, trying to stop the flow of blood from the wound in his breast by holding his hand on it. The floor was sidling, and he could see where the blood had run in a narrow, red stream entirely across the apartment. He could feel himself growing faint, and he asked the young woman if there were any stimulants in the house. She answered in the negative. Ranney seemed to recover momentarily, but directly he began sinking again. He said to the women—his preserver and her namesake—

“Pull my shirt open and see if you can do something to stop this bleeding, or in the next faint I’ll go off.”

The women were so badly frightened that they could do little to assist, but they managed to tear open the shirt, and then it was seen that the flowing from the wound had almost ceased and only a small jet was coming out.

At sight of the clotted blood inside the shirt both women were near to fainting. At this juncture someone on horseback rode up to the door. It proved to be a physician from Diamond Springs, on his way to Grizzly Flat. He entered the room, and, after examining the wound, said gravely,

“Looks pretty bad for you, Mister. There’s two bullets in there.”

But he was misled by the appearance of the wound. The bullet, striking Ranney in the right side, had come out at the opposite breast, leaving a clean hole at both entrance and exit, and thus

giving the appearance of two wounds.

"I can't do much for you," the doctor continued; "but I'll do what I can."

He asked for some cloth, which, being given him, was put into the wound, stopping the flow of blood.

It was between eleven and twelve o'clock before Sheriff Rogers and his posse arrived at the scene of the shooting. The Sheriff had previously gone to Sportsman's Hall, close to Bullion Bend, and had arrested, on suspicion, two men who had come to that hotel shortly after the robbery the night before. Sheriff Rogers had these men in custody when Deputy-Sheriff VanEaton brought word that the track of the bandits had been found; but the Sheriff, despite this intelligence and Van Eaton's urging, continued to linger at the Hall, holding as prisoners men against whom he had not even a scintilla of evidence. When, finally, he did arrive at the place of conflict, as we have seen, all danger was over, one faithful officer dead and another lying wounded.

And in the meantime news of the shooting had reached Placerville and Dr. Worthen had come out; also some other persons, including Under-Sheriff James B. Hume, who was out of the county on official business at the time of the robbery and had just returned to Placerville. Hume had great affection for Staples, and when he saw the dead body of his friend and also the living robber, Poole, who was not fatally injured, he was frantic with grief and rage.

Shortly after this Sheriff Rogers and his posse returned to Placerville, taking Ranney, the wounded Special Deputy-Sheriff, with them, so that he might be given medical attention in a

more convenient abode. The body of the ill-fated Staples was also carried with them; and the wounded robber, Poole, was taken down to await trial and punishment.

Much criticism of Sheriff Rogers was indulged in, and not without reason. First of all, he had gone to Bullion Bend, the scene of the robbery itself, in order to capture the malefactors, when any sane person should have known that the place of crime would be the last place in which to look for a criminal. And, finally, when he learned that the track of the outlaws had been found, he still delayed going to his post of duty.

Deputy-Sheriff Staples' apparently foolhardy act in attempting the capture of six armed desperadoes was also the subject of much adverse comment. But the following incidents will afford a solution of that matter:

Some time before the hold-up at Bullion Bend, the McCullum band of outlaws had been committing depredations on all sides. Under-Sheriff Hume and Deputies Van Eaton and Staples had located the bandits near the road leading from the Somerset House to Fiddletown. Hume and Van Eaton went into a thicket to drive the robbers out, leaving Staples to guard the exit. The outlaws opened fire, wounding Van Eaton. Staples' horse became frightened at the shooting and galloped off with his rider, who was as brave a man as ever served the people of El Dorado county. Leaving Van Eaton at a residence near by, Hume and Staples returned to Placerville to report. A physician was dispatched to attend Van Eaton and the next day Ranney went out to attend the wounded officer.

Staples happened to be in one of the Placerville

barrooms not long after this, when one of those garrulous heroes who are always in the rear, made the remark:

"Staples took damned good care to keep out of danger!"

Staples, overhearing the words, said angrily,

"The next time I go I'll be brought back dead or I'll bring back my man!" And the tragic sequel has shown that he kept his pledge only too well.

After the wounded robber, Poole, had been lodged in the Placerville jail, he made a confession, implicating a large number of men in a conspiracy against the Federal government. He stated that he and his companions belonged to a strong company which had its rendezvous in the Coast Range mountains near San Jose, and which had been organized for the purpose of bushwhacking through Southern California and into Texas, and that their party had formerly belonged to the Quantrell band of guerillas in the South. He added that he and five others had been sent up into El Dorado county for the purpose of raising funds wherewith to equip themselves for the raid.

Shortly after their encounter with Deputy-Sheriffs Ranney and Staples, five robbers were observed in the vicinity of the Somerset House. Later, the wounded outlaw and one of his companions disappeared and nothing more was ever heard or seen of them. The three remaining bandits reached the rendezvous in Santa Clara county about ten days afterward. The Sheriff of that county, with a posse, was awaiting them. He demanded an immediate surrender. But instead of yielding, the three outlaws stood up and

gave battle to the posse. One of their number was killed, another so badly wounded that he died in a day or two, while Glasby, the youngest of the trio, fought until his pistol stock was shot off and his clothing shot full of holes, before he was captured. At the trial he was allowed to turn state's evidence and was given his freedom.

On August 2, Under-Sheriff James B. Hume and Deputy-Sheriff John Van Eaton arrested the following men in Santa Clara county and brought them to Placerville two days later:

Henry Jarboe, George Cross, J. A. Robertson, Wallace Clendenin, Joseph Gamble, John Ingren, H. Gately and Preston Hodges.

These persons and Thomas Poole, also, were charged by Allen P. Glasby, one of the stage-robbers, with being accomplices before and after the robbery at Bullion Bend. Upon this evidence the Grand Jury found bills of indictment against them, whereupon Judge Brockway issued warrants for their arrest. They were arraigned in the District Court on August 19, 1864, and were attended by their counsel, Messrs. Hurlburt & Edgerton and J. M. Williams. The case again came up in the District Court on November 22. Preston Hodges was convicted of murder in the second degree, and was sentenced by Judge Brockway to twenty years at hard labor. Thomas Poole, the best man of the entire gang, was, by a strange miscarriage of justice, found guilty of murder in the first degree, and was hanged in Placerville, at noon on the 29th of September, 1865. The remaining prisoners were allowed change of venue to Santa Clara county, where they were tried and acquitted.

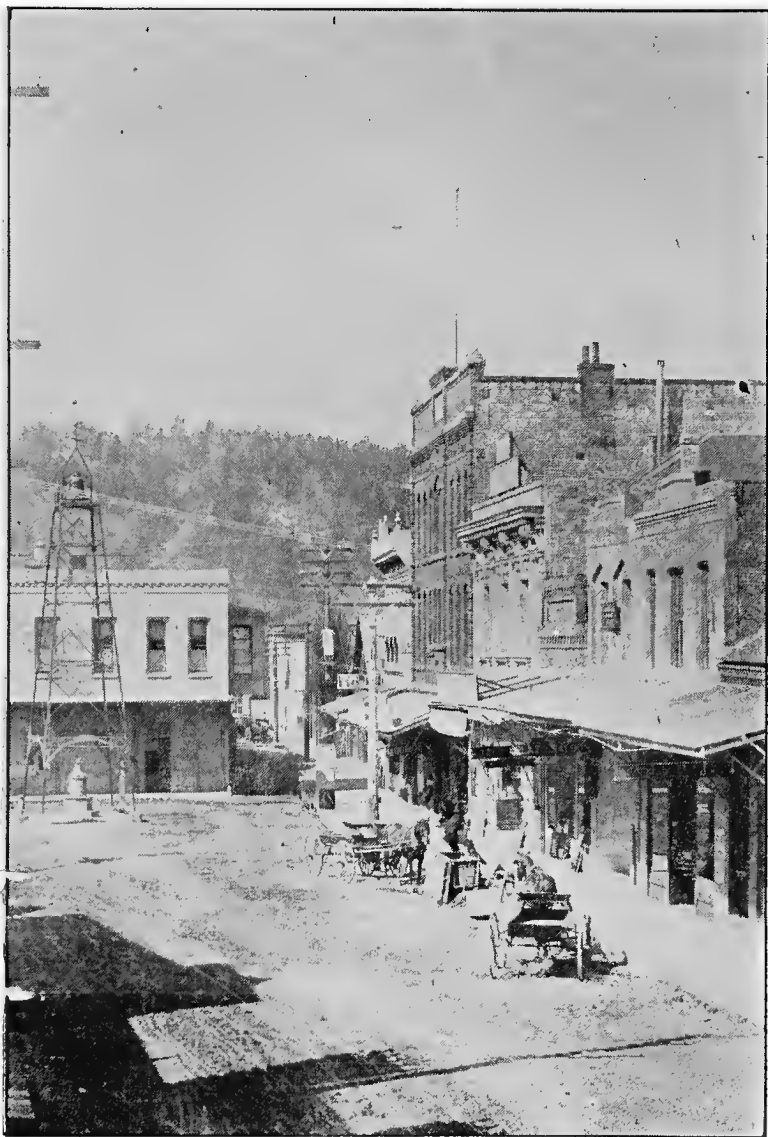
The robbers had carried only a few hundred dollars and one bar of silver bullion from the scene of the robbery. The rest of the bullion was found buried near the spring at Bullion Bend. The bar they took with them was afterward discovered under the sill of the barn at the Somerset House.

George C. Ranney, who, in the capacity of a special Deputy-Sheriff, made so plucky a fight at the Somerset House, was able to be on his feet again about ten days after the shooting; but, as a memento of that fearful experience, he carries to this day, imbedded in the muscles of the lower back, the bullet which struck him as he fled from the apartment where Staples died.

George C. Ranney was married in Placerville to Miss Matilda Hendry of Illinois, May 22, 1853. They had eight children, three of whom are now living. Mrs. Ranney died in Oakland, California, on the 6th day of July, 1893.

From 1861 to 1901 Ranney followed the business of a carpenter and mill-wright, in which he was a painstaking, efficient workman. The author's father, Franklin Upton, of Massachusetts—who came to Sutter Creek, Amador county, in 1853, and in the early Sixties moved to Placerville—was for many years associated with him in those occupations. He always spoke in the very highest terms of Mr. Ranney's ability and of his sterling qualities as a friend and a man.

In 1901 George C. Ranney retired from active life—not because of physical disability, for his body is sound; but because he concluded that his failing memory would render it unsafe for him to assume the leading part in mill-work as he had long been accustomed to do.



MAIN STREET, PLACERVILLE, IN 1906.

Photo by G. W. Potter.

He lives to-day near Slatington—Kelsey—where his daughter, son-in-law and two grandsons—lately from Colorado—are also staying. The men are engaged in a mining enterprise.

Mr. Ranney has of late years become an ardent believer in socialism. In common with many other thoughtful and unprejudiced men and women, he looks forward confidently toward the day when our country shall cease to be a wealthy oligarchy, ruled by the idle rich for the benefit of the rich, and shall become in truth a “government of the people, by the people, for the people.”

XII.

JAMES B. HUME,

THE NOTED WELLS-FARGO DETECTIVE.

Amongst the names of her early citizens whom El Dorado county delights to honor, there are few which stand higher than that of James B. Hume.

He was born in Delaware county, New York, of Scotch parents, January 23, 1827, the family moving to Indiana nine years later.

The year 1850 found James, a young man of 23 years, on his way to California, where he arrived the same year. Until March 4, 1860, when he became Deputy Tax-Collector of El Dorado county, under J. M. Anderson, he had followed the usual occupations of a California pioneer. In

1862 he served as Deputy-Marshal and Chief of Police of the city of Placerville, and in 1864 entered the Sheriff's office as Under-Sheriff of the county.

While serving with Sheriff Rogers, he went to Santa Clara county and captured a number of the Bullion Bend robbers, as related in the preceding chapter of this history.

During Mark Griffith's incumbency of the Sheriff's office, 1866 to 1870, Hume again performed the duties of Under-Sheriff.

On Sunday, March 18, 1866, the settlement of Pekin, in lower Mud Springs township, was the scene of a desperate fight between three Chilenos, which resulted in the killing of Casas Rojas and Marcellius Bellasque by Pedro Pablo. The murderer was arrested by other Chilenos who were present and was delivered into the custody of Special Constable Bailey, who immediately started to Shingle Springs with his prisoner. The night was black and stormy, and the murderer, under cover of darkness, freed himself from the handcuffs, jumped from the horse and fled. The Sheriff was notified, and Under-Sheriff Hume and Jailor Cartheche started in pursuit of the runaway. But he was finally discovered by a brother of one of the murdered men. Constables Bailey and Shrewsberry arrested the culprit and brought him to Placerville. Later he was tried, convicted, and sent to the penitentiary for a number of years.

In the latter part of July, 1867, three desperadoes, who gave their names as Faust, De Tell and Sinclair, started from Sacramento on a robbing expedition. They began by committing burglaries in houses along the road, and on Tues-

day, August 3, they stopped and robbed, above Sportsman's Hall, a teamster who was returning from Carson Valley. From there they proceeded up the highway, robbing houses at their pleasure, and also taking ten or twelve dollars from a man who was driving a sprinkling cart along the road.

Under-Sheriff Hume, with a posse of three or four men, started in pursuit of the highwaymen. Having been informed of the course of the robbers by Constable Watson of Strawberry Valley, Hume and his party lay in wait for them at a point in the road near Osgood's toll-house. On the morning of August 5, at half-past eleven o'clock, the bandits appeared, armed with rifles.

Hume commanded them to stop. The answer was a shot, which took effect in the fleshy part of Hume's arm, but causing no serious injury. The Under-Sheriff immediately ordered his men to fire. They obeyed, and when the smoke had cleared away two robbers were lying on the ground, one of them dead, but the other unhurt. The third one had been seen to fall off the bridge into the creek, and they supposed that he was drowned; but they soon learned that he had got up and crawled under the bridge, where he remained until all of the Under-Sheriff's posse were in the toll-house; then he started back towards Placerville. An hour before daylight Hume and his men found his trail. Soon afterward they captured him a short distance above Brockless' bridge, and both prisoners were brought to Placerville and confined in the jail.

At the trial which followed Sinclair stated that he was a New Yorker, 21 years old; had lately served under General Conner in Arizona; and

that he was one of the men who had fired upon the Under-Sheriff's party near Osgood's toll-house. He said further that the dead man was a German named Faust, and that his other companion's name was Hugh De Tell. Both men were found guilty and afterwards served a long term in State's Prison.

On the morning of January 16, 1868, Joseph F. Rowland, a Frenchman, about 45 years old, was found dead in Weber creek, two hundred yards below his cabin, and about half a mile above Webertown. It was evident that he had been dead several days; and the fact that his skull was found to be split in several places attested that he had undoubtedly been murdered with some sharp instrument. This, and other accompanying circumstances convinced the Sheriff that the crime had been committed by Indians, and Under-Sheriff Hume and Jailor John Cartheche were despatched to arrest a lame Indian, who spoke English and was supposed to have some knowledge of the murder.

On the search, while riding along a trail between the American river and the Nine-Mile House, they came suddenly upon three Indians, armed with rifles, which they quickly leveled at the officers. The encounter was so unexpected that Hume and Cartheche had no time to draw their revolvers from underneath their overcoats and storm-coats, which, owing to the extremely cold weather, were tightly buttoned. That being the case, they had no recourse but to sit quietly on their horses and await the pleasure of the Indians. Those persons began to back off, keeping their rifles pointed at the officers meanwhile, and in this manner passed gradually out

of range and disappeared.

Hume and Cartheche hurried to Sportsman's Hall and telegraphed for reinforcements; and in a short time, with this additional help, they succeeded in capturing the lame Indian and several others whom they suspected of being accomplices.

The Indians who had escaped from Hume and Cartheche proved to have been no other than "White Rock Jack" and two of his partners in crime. The lame Indian confessed to having been with the three when the murder was committed. His testimony was corroborated by the circumstantial evidence in the case. He, as well as two other Indians who were subsequently caught, served a term in San Quentin; but "White Rock Jack" was not apprehended until nearly three years later.

It was on Wednesday, July 27, 1870, that the Indians from the vicinity of American and Columbia Flats gave a banquet in true "Digger" style on Irish Creek; and "White Rock Jack," being unable to resist the temptation to be present at, and participate in, the festivities, rashly came out of his mountain hiding-place and repaired to the place of feasting.

In some way the Indians had managed to procure liquor for the occasion; and Jack's appetite once more proved his undoing, for he became beastly drunk. Thereupon, two Indians hastened to the store at Columbia Flat and informed the proprietor, Mr. Anderson, of Jack's proximity and also his condition. They accompanied Anderson to the spot and not only pointed out, but helped to bind, the Indian bandit, who was forthwith brought to Placerville by Anderson, Breeze and

another person and delivered to the authorities. Thus, after innumerable stratagems by the county officers, this wily desperado, for whose capture the county had offered a reward of \$500, and Governor Haight an additional \$300, was finally secured.

When Jack's trial began in the District Court on March 3, 1871, he was found guilty of murder in the second degree and sentenced by Judge Adams to hard labor in the State Prison for life. Jack received his sentence with stolid indifference, but it is told that when he reached his cell he broke down and wept at the thought of a life-long incarceration between the cheerless walls of San Quentin. Jack was then but 23 years of age and, physically, was a superior specimen of the Digger Indian.

In the latter part of May, 1870, Jesse Hendricks, an employee of the South Fork Canal Company, disappeared mysteriously from his camp on the canal, eight miles above Placerville, and, notwithstanding the fact that a very careful search was made by a large number of men, no traces of him could be found. The circumstances indicated foul play and suspicion rested upon the notorious "White Rock Jack."

More than six years after, on December 19, 1876, a deer hunter found, near the South Fork of the American river, about seven miles above Placerville, two sections of a human skull, one portion lying near the river-bank, and the other on the top of a bluff, perhaps fifty feet above. Coroner Collins, having been informed of the discovery, went up with a party to make an investigation, December 21. Going first to the big flume on the old Jack Johnson ranch, they went

from that point directly to the river; and not far from the stream they found the two pieces of skull and also a miner's shovel. Further up they discovered a boot containing the bones of a human foot, and still further along they came upon another boot in which were the bones of a foot and the leg from the knee down. Pursuing their search yet further, up a steep, marshy ascent, most difficult to climb, at intervals they found fragments of a human skeleton, the largest number of pieces being under a tree near the flume. Here and there were also particles of clothing, some of which were attached to various bones; and at a spot where it appeared that the body had originally lain they discovered, under the dead leaves and rubbish, a pocket-knife and several half-dollar and quarter-dollar pieces, aggregating exactly two dollars and twenty-five cents. The pocket-knife and some strips of a woolen shirt were positively identified as having belonged to Jesse Hendricks, the ditch tender, whose mysterious disappearance in May 1870, had caused so great an excitement. Undoubtedly he had been murdered, but who the guilty person was still remains a mystery. The theory that Indians had perpetrated the crime, as at first suspected, seems disproven by the discovery of the knife and the money, which excluded robbery, the usual motive of a Digger Indian when taking human life.

In 1870 the people of El Dorado county showed their appreciation of James B. Hume's efficiency as a peace officer by electing him Sheriff, a position which he held until 1872, when he was appointed Deputy Warden of the Nevada State Prison. He returned to Placerville in the

spring of 1873 and during August of that year he entered the employ of Wells, Fargo & Company, and remained with them until death.

On April 28, 1884, he was married to Miss Lida Munson, the daughter of a prominent pioneer of El Dorado county. Miss Munson was born at Cold Springs.

James B. Hume served Wells, Fargo & Company long and faithfully and was one of their ablest and most respected employees. He became chief of their detective bureau and his work in that capacity was beyond criticism. He died at his home in Berkeley, California, May 18, 1904.

XII.

JAMES W. SUMMERFIELD,

OF THE "GOLD LAKE" PARTY.

The town of Union, where James Wesley Summerfield was born on the eleventh day of July, 1823, is situated in that portion of old Virginia which has since become the State of West Virginia. At his father's death, the boy was still a small child.

James Summerfield was among the first to join the vast exodus to California. He left his native state in April, 1849, and reached Hangtown, El

Dorado county, about August 1. Coming to Sacramento four days later, he sold his horses and other stock; then, returning to El Dorado county, spent the winter of 1849-50 at Kelsey, where he followed mining.

In April, 1851, there came to Placerville two or three men who seemed to have an ample supply of funds, and who boasted that they had made a fortune and were now going "back home." While in Placerville the strangers gave two men in that town a written paper which contained some extraordinary statements. It described the location and appearance of a certain mountain lake, up in the Sierra Nevada range, where the water was of surpassing clearness, and this narrative furthermore declared that in the bottom of the lake itself, as well as in the bed of a stream emptying into that body of water, the visitor could see innumerable pieces of gold, some of which were fully as large as a small-sized walnut.

When this remarkable story was noised abroad, naturally it caused intense excitement. A number of parties were soon organized for the purpose of going in search of those wonderful waters in which fortunes could be had for the gathering.

One company, of which James Summerfield was a member, had traveled up as far as Union Valley—so named by them because at that spot they communed and held services—when they became puzzled and were unable to follow the line of procedure as described in the paper of directions. Accordingly they divided their party and started out at random, each body of men taking a different direction.

Summerfield and his companions soon reached Pike's Peak—of the Sierra Nevada mountains—where they found snow twenty-five feet deep and only the tree-tops projecting above the mass of dazzling crystal. Luckily for our travelers, there was very little soft snow to make the way difficult. Following up Silver Creek to a convenient ford they crossed that stream and shortly afterward came to the head of Lake Tahoe. Proceeding down the east side of this lake, they found a band of Indians, who appeared to be greatly excited at seeing the white men. After showing the Indians a few specimens of gold, the Americans told the red men that they would give them some blankets in payment if they would guide the party to the famous gold fields. But the Indians did not seem to understand their visitors; so, after a short delay, our fortune-seekers went onward. At the head of Long Canyon, near Lake Tahoe, they discovered some small "prospects," but the place did not appear rich enough to warrant their making an extended investigation.

The party left the neighborhood of Lake Tahoe at night, the band of Indians following them at a distance. Summerfield and his friends stopped to camp; and early the next morning, food being scarce, some of the men arose and went out to hunt for deer. The others remained in bed until late in the forenoon. Later, when they went out to attend to their stock they found two or three ropes still tied to the trees, while four of their animals had disappeared.

Attempting to follow the tracks of the Indian thieves, our friends found themselves entangled in a rough and dangerous forest, and, concluding

that four men stood very little chance against a gang of Indians in that wild country, they wended their way back to camp and shortly afterward started over the hills to Georgetown. They had begun their journey, full of hope and confidence; they had come back, disappointed, yet rich in experience. The location of the fabulous "Gold Lake" still remains a mystery.

During the season following that fruitless journey Summerfield worked at mining in the neighborhood of Georgetown, Kelsey and Mosquito Canyon.

Placer mining in Hangtown began March 1, 1849, with the discovery, by several Oregonians, of a rich spot in Hangtown creek, near the mouth of Cedar Ravine. This ravine is said to have yielded about \$1,000,000 in gold. The next discovery was in Log Cabin Ravine—now Bedford Avenue—first worked by the Winslow brothers. About \$250,000 was taken out of that neighborhood. The richest portion of the creek was between a point below the mouth of Cedar Ravine and a place near the foundry. Below this very little gold was discovered. In ascending the creek, good wages were made above Cedar Ravine as far as Dr. Price's store, but very little was found beyond there. Spots in the creek, especially in the rear of the Court House, were exceedingly rich, and a piece of ground in the rear of Adams' Hotel—afterwards the Mountjoy House—was worked in 1849 and until the following spring by Fish Brothers & Co., who realized about \$20,000.

Just below Adams' Hotel was a round tent used by Tom Ashton during the winter of 1849 as a saloon and gambling-house. In the rear of

this tent, a man named Wiley washed out, during the spring of 1850, the sum of \$1400 from one pan of white clay. It was learned by investigation afterward that the channel of the creek had formerly extended where this clay was found, and that the bed of the creek had extended along that side of the creek as far as the Cary House. All of that ground was immensely rich. The amount of gold taken from this portion of the creek and the flat below aggregated about \$800,-000. The majority of the pioneers agree that very little gold was to be found in Main street, except perhaps a narrow spot on the Plaza, where the old creek had run across.

Emigrant Ravine paid fair wages. Going north from town to Big Canyon, Poverty Point and the vicinity, many valuable ravines were discovered; but the richest deposits, considering the extent of ground worked, was the celebrated Red Hill, a decomposed quartz deposit lead, found upon the apex of a slate ledge crossing three different ravines, and running toward Big Canyon. This lead was perhaps one-eighth of a mile long and in some places only about three inches wide; yet more than \$250,000 was taken from it. Still, Oregon Ravine, which has already been mentioned, had, up to 1851—produced more gold than any other ravine near Placerville—Hangtown—yielding \$1,000,000.

Near the mouth of Spanish Ravine was found a rich lead which, however, was worked out in the summer of 1849. A small ravine near the Emigrant Road, close to Smith's Flat, produced about \$13,000; and during the winter of 1849, \$64,000 was taken by four men from a little ravine near Newtown.

Weber creek, on the south, for about four miles was very rich, as were also many of the smaller ravines opening into it. From Georgetown Canyon, on the north side of the county, it is estimated that fully \$2,000,000 were taken up to 1853.

One portion of White Rock Canyon, worked during the winter of 1849-50 by O'Brien, Grayson, Stuart and Dayton, proved of great value. The South Fork of the American river, and the bars along it, were not noted for their paying qualities, although some rich spots were discovered. Kanaka Bar, for example, yielded thousands of dollars; one nugget was found there which was alone worth \$1,010. But the richest bar upon the river belonged to Portuguese Joe, who realized a fortune from his claim.

The first hill diggings in El Dorado county were discovered near Upper Placerville, early in the spring of 1851, by the Aiken brothers, who worked a small ravine located on the side of Indian Hill. At the upper end of the ravine the "pay dirt" gave out, and instead of a slate bed-rock, they found what appeared to be of the nature of sandstone. Upon examination, however, this proved to be cement, under which, upon working through it, they found a deposit of rich gravel resting upon a slate foundation and pitching into the hill. Other hills in the vicinity were discovered to be similar in character, being cement-capped and containing ancient river-beds rich in gold.

Quartz mining was not begun until 1853, and it has been followed, with varying success, up to the present time.

The following bill of fare indicates that all the

profits of the early-day mining did not go into the pockets of the miners:

EL DORADO HOTEL,
Hangtown, January, 1850.

M. ELSTNER, PROPRIETOR

Soup.

Bean.....	\$1.00
Ox-tail (short)	1.50

Roast.

Beef, wild, (prime cut)	1.50
“ , up along,.....	1.00
“ , a la mode (plain).....	1.00
“ , with one potato (fair size).....	1.25
“ , tame, from Arkansas.....	1.50

Vegetables.

Baked Beans, plain.....	.75
“ “ , greased.....	1.00
Two potatoes (medium size)50
“ “ (peeled).....	.75

Entrees.

Sauer Kraut	1.00
Bacon, fried	1.00
“ , stuffed.....	1.50
Hash, low grade.....	.75
“ , 18 carats.....	1.00

Game.

Cod Fish Balls, per pair.....	.75
Grizzly, Roast	1.00
“ Fried	1.00
Jack Rabbit (whole).....	1.50

Pastry.

Rice Pudding, Plain75
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Rice	"	, with molasses	1.00
Rice Pudding, with Brandy Peaches			2.00
Square Meal, with dessert.....			3.00

Payable in Advance.

Gold scales on the end of Bar.

Among the miners who were working along Hangtown creek during 1853-4, was a long, gaunt Alabaman to whom his neighbors had given the nickname of "Long Hungry." He claimed to be a "Hard-shell" Baptist, but he possessed an ugly temper and was very domineering to his physical inferiors; yet he was careful never to molest his equals or superiors in muscle. He was very ignorant and could read only by spelling each word as he went along; and he was unable to write himself or to read the penmanship of others. On Sundays, as a religious duty, he always tried to study the Bible.

Up the creek, a short distance from the claim of the Alabaman and his partners, were three Germans who spoke English very brokenly. All three were Catholics and they always refused to work Sundays. It was necessary to economize with the water, so that each miner below them on the creek would have sufficient water for his work. By using sacks filled with dirt, the Germans had made a dam to turn the water into their sluices. Occasionally the dam leaked, but the Germans were very careful, and whenever they were notified of a leak they would promptly stop it.

But the Southerner was prejudiced against the Germans on account of their religion.

"Dog-gone heathen ought to be druv out uv the country!" he would exclaim. "If I went into their country they'd burn me at the stake. I

know it; read about it in books; seed pictures uv 'em! I's goin' to whip 'em!"

One day it was noticed that the Alabaman had moved his sluices. He said he "didn't care about water." The next morning the Germans' dam was badly torn, and the Southerner's partners accused him of being the transgressor. He admitted his guilt.

Two of the men helped the Germans to repair their dam. At noon the next day the Southerner found, tacked to one side of his sluices, a written paper. He at once brought it to his partners, saying,

"Whut's this dog-gone thing?"

One of the men took the paper and after pretending to read it, said gravely.

"God! I'm sorry for you—mighty sorry! I warned you. You've got it at last!"—The men themselves had prepared the paper as a hoax, to make the Alabaman believe that he had to appear before the Alcalde for punishment.—

The Southerner was stupefied. The others made a pretense of trying to console him. He finally said,

"Tear the dog-gone thing up; throw it in the sluices!"

The man with the paper shook his head.

"Can't do that, you know. Its one of those law papers. You must appear."

But the Southerner positively refused to go.

His tormentor insisted that it was necessary for him to appear "forthwith," whereat the Southerner demanded what he meant by that word.

"Forthwith? It means between now and to-morrow morning."

The Southerner was in despair. At last he concluded that he would sell out his share of the claim and run away, as he could see no other way out of the difficulty. That was precisely what his partners wanted. They closed the bargain immediately and the Alabaman left during the night.

The next day one of the Germans who knew of the trick came down, grinning,

"Appeared he didn't got much happiness," he said.

During the winter of 1852 James Summerfield worked in Spanish Flat. That winter small-pox broke out in camp and four deaths occurred. Summerfield was taken sick, but, having been vaccinated, he had only a light form of the disease. A pair of blankets from the bed of Green, a young man who had died of the malady, was hung out to be aired, and was stolen during the night. A few days later a Spaniard in a canyon a few miles away fell a victim to the dread disease. The inference was not difficult to follow.

In 1860 James W. Summerfield bought a large tract of land at Mosquito and thereafter devoted his time to farming. Recently, failing health caused him to give up the work and he moved to Placerville, where he still lives with the family of his son-in-law, County Clerk John P. Fisher. His son, Clark Summerfield, and family, are now managing the place where the father spent so many fruitful years.

XIII.

G. J. CARPENTER,

PIONEER LAWYER AND EDITOR.

G. J. Carpenter was born in Hartford, Susquehanna county, Pennsylvania, May 4, 1823. His first American ancestors, on the paternal side, arrived in Massachusetts Bay Colony during 1636; his maternal ancestors, the Thayers, reached the same colony two years afterward. His grandparents were among the pioneers of his native town, and here Asahel Carpenter and Amanda Malvina Thayer were married May 25, 1822. They had one daughter—who died in childhood—and five sons: Gideon Judd, Frederick, Cyrus Clay, John and Emmett.



FALLEN LEAF LAKE

Photo by Charles Elmer Upton,

One of the brothers, Colonel C. C. Carpenter, settled in Iowa. During a part of the Civil War he served on the staff of General Dodge, and he was filling a similar office under General Logan in Sherman's march to the sea. Returning to Iowa, he was twice elected governor of that state and twice a representative in Congress. On the maternal side of his family, our pioneer, G. J. Carpenter, was related to William H. Seward.

* "In 1835 his father moved in a two-horse wagon, over corduroy roads, to Warren county, Indiana. Here, while his father followed land-surveying, he worked on a little backwoods farm, in sight of the Wabash river. At the end of six years, saddened by the loss of his mother and his brother John, the rest of the family returned to Hartford, where two years later his father and sister died. Again among friends and relatives who were the founders of Franklin Academy, he was at intervals for eight years, a student at that institution. During his academic term he was a fellow student of J. H. McKune and Amos Adams, before whom, as district judges of California, he afterward practiced. His reading of law under a retired professor was suspended in 1849, when he again determined to try his fortunes in the West. This time Chicago was his objective point, but California was his unforeseen destination. With his three comrades and a good outfit, he spent the summer of 1850 on the plains with the overland pioneers of that year; and a few days before the admission of California into the Union he pitched his tent under the tall pines which then overshadowed George-

*From "Representative Citizens of Northern California."

town, minus pretty much all the rest of his outfit.

"The end of a long and tiresome journey was the beginning of his life work in the paradise of miners, where every disappointment had in it the pleasures of hope and golden visions of fortunes yet to be made. The next five years, excepting only the summer of 1854, he devoted all his energies to placer and river mining. Beginning at Greenwood, his mining career ended at Big Bar, on the Middle Fork of the American River, where he organized and engineered the most daring and expensive fluming operation ever undertaken on that river. By a flume over two miles in length, fifteen feet wide and four feet deep, the river from Volcano to Big Bar was completely drained and made to run the wheels and pumps by which it was done. Eye-witnesses of this achievement, and of his discovery and operations on the Big Crevice at Big Bar, are still living in Placerville. When he left the mines for other occupations, he owed nothing, and but for the festivities of a miner's life in the '50's, they would have been largely indebted to him."

"In 1860 G. J. Carpenter canvassed and voted for Stephen A. Douglas. In 1862, Carpenter himself, an ardent Union Democrat, was elected County Clerk of El Dorado county. Two years later he canvassed and voted for Lincoln, whose administration he uncompromisingly supported until the close of the Civil War, when he returned to his old love, "Jeffersonian Democracy." In 1867, as candidate on the Democratic ticket, he was elected District Attorney of El Dorado county, an office to which he was twice re-elect-

ed. Three months before the expiration of the third term he resigned his office in order that he might take up the duties of Assemblyman, to which position his party had elected him. He became Speaker of the Assembly. In 1878 he was appointed by Governor Irwin to the office of Supreme Court reporter. The salary of this office having been reduced from six thousand to two thousand dollars annually, he gave up the place at the end of two years.

In 1857 G. J. Carpenter was married to Miss Mary A. Whitney of Wheelock, Vermont. Of their three children, Prentiss, Galusha and Mollie, Galusha and Mollie still are living. Prentiss, the gifted elder son, died November 27, 1902, shortly after his election, on the Democratic ticket, to the Superior Judgeship of El Dorado county. Prentiss had previously served two terms as District Attorney. His untimely death was a blow from which his parents have never recovered.

In 1889 G. J. Carpenter and George E. Williams became joint owners of "The Mountain Democrat," the pioneer newspaper of El Dorado county. Two years later Mr. Carpenter became sole owner of the paper which has had so long and successful a career. On December 27, 1902, Mr. Carpenter transferred, as a gift to his daughter, Miss Mollie Carpenter, the plant and business of "The Mountain Democrat;" but while his daughter's name stands at the head of the paper's editorial columns, the well-known forcible diction of Mr. Carpenter himself is frequently recognized in the articles which appear in the issues of the journal.

The history of any newspaper must needs be

composed largely of the annals of the town and county it represents.

We now come to a murder case which is notable mainly for its highly sensational features and for the fact that its consummation resulted in the last legal execution held in El Dorado county, the Legislature having passed a bill providing that all such punishments should in the future take place in one of the State Prisons. The "El Dorado Republican" of September 13, 1888, gives the following resume of the case:

"The body of John Lowell was found partially decayed and concealed in the cellar of a burned building on his ranch near Mormon Island on June 2. The skull was fractured and the circumstances indicated murder. Some valuable horses and a buggy were missing from the place, and these were found in the neighborhood of Sacramento, where it was ascertained that they had been sold by Myers, Olsen and Drager under assumed names. They were arrested—Drager in the city, Olsen on a ranch a short distance away, and Myers at Tehachipi, his address being obtained from John Stein, a saloon-keeper of Sacramento implicated in the sale of the horses and suspected of being engaged in the plot to kill Lowell.

"The men all showed a strong desire to talk of the crime, and all made voluntary statements. These statements agree in the story that they left Stein's saloon together about the 21st of March in a wagon, with one horse and two guns, and went by a circuitous route to the neighborhood of Lowell's ranch, where they arrived on the evening of the third day, and returned toward Sacramento on the night of the fourth

day with the horses.

"Myers at first stated that Lowell and themselves went out on the ranch the next morning after their arrival to look at timber, and when they returned he shot Lowell in the neck from behind with his shot-gun, and that Drager then struck him with a sledge hammer. Myers afterwards changed this statement by saying that Olsen first shot Lowell with a pistol and that his gun went off accidentally as he removed it from his shoulder.

"Olsen's story was that he was walking behind Lowell, and Myers was behind him. When Myers fired, he was frightened and ran into the chicken-house. He says he was compelled by threats to assist in the removal of the body, and that in anger at his non-assistance, Myers broke the gun on the wagon-wheel.

"Drager at first said they had camped near the ranch, and that the other two were absent and returned with the stock, when they all took it to Sacramento; but at the examination in Placerville, he stated that he was present at the shooting, and that Myers fired at Lowell twice, and then broke the gun over his head and threw it into the well, where it was subsequently found. His final statement agreed with that of the others concerning the concealment of the body in the house and the subsequent burial in the old cellar."

The trial of the three accused men began in Placerville on August 28, 1888, G. J. Carpenter, G. G. Blanchard and C. F. Irwin representing the defendants, and District Attorney M. P. Bennett appearing for the people. The following citizens were selected as jurors: J. A. Wolf, Michael

Martin, Jacob W. Behm, Conrad F. Buiff, Frederick Rohlfing, J. W. Roelke, Thomas Ralph, Emil Larsen, Joseph H. Maynard, Louis Rieber, Jr., George Askew and Thomas Worth.

At 10 o'clock on Saturday evening, September 8, Judge George E. Williams read his charge to the jury, and they retired to deliberate. It was 2 o'clock the next morning before they returned to the court-room. and their foreman read, in a low tone, that the defendants had been found "guilty, as charged."

There was a stay of sentence, but on October 2 Judge Williams sentenced Myers, Olsen and Drager to be hanged Friday, November 30. In the matter of Olsen and Drager there was a stay of execution; but Myers died on the scaffold on the appointed day, and he remained to the end a cowardly, contemptible villain.

A petition for the commutation of the death sentence in the cases of Olsen and Drager was signed by a large number of people, including Judge Arnot—presiding during the absence of Judge Williams—ex-District Attorney Bennett, District Attorney Ingham and Sheriff Anderson. The petition stated, among other things, that it was the general feeling that Olsen and Drager had become involved in the murder, not by deliberate intention to kill, but by their stupidity and a certain recklessness and brutality acquired from their life as sailors, which led them to follow Myers into the crime.

But the Governor refused to interfere in the case, and the two men suffered the extreme penalty on October 11, 1889, going to their deaths bravely, in direct contrast to their former companion, Myers. To this day many persons be-

lieve that Olsen and Drager did not deserve so hard a fate.

On the sixth of November, 1897, there occurred an event which is unique in El Dorado county's history. For two or three days previous to that date a heavy valley fog had been hanging over the foot-hills. On Saturday afternoon, suddenly a driving hail-storm descended, and accompanying the hail was a vast, whirling black cloud which even the uninitiated recognized as a tornado, often wrongly called a "cyclone." Its general direction was from the northwest. On the Crawford place, between Granite Hill and Coloma, the house was twisted off its foundation and badly wrecked; the barn and outhouses were demolished; while a large live-oak tree, two feet in diameter, was torn up by the roots, and a pine tree near by was broken in twain. Between the Crawford place and Granite Hill many large trees were uprooted. At B. and L. Veerkamp's farm in Granite Hill the barn was wrecked and a portion of the house wrenched out of shape. A little farther on the Cold Hill school-house was lifted from the floor and torn into fragments, the desks were mostly destroyed, the library scattered and the stove demolished; but the organ was picked up by the freakish wind and gently deposited upon the ground without even injuring a pedal. Passing on to Cold Springs, the storm unroofed Mr. Mull's house and woodshed, and beyond, at John Ryan's place, it twisted one end of the barn out of shape. From there the tornado went eastward, along Weber creek, uprooted a large number of Victor Rowland's fruit trees, wrecking the barn on the Reed place, opposite, and damaged the house so badly that the family

had to move out the next day. It struck the Weber creek wagon-road bridge and carried away a part of the roof just as Sheriff George Hilbert and Jack Doyle were driving upon that structure in order to escape the hail-storm, causing the horses to run away, but with little damage to the buggy and none to its occupants. The last heard of this unusual storm was at the Griffith Mine, above Diamond Springs, where it did some damage to the buildings. The storm was from one hundred yards to one-fourth of a mile in width. The property loss resulting from its havoc was about \$10,000.

On Admission Day, September 9, 1898, Placerville Parlor, No. 9, Native Sons of the Golden West, held a very successful celebration in Placerville in commemoration of the Fiftieth Anniversary of Marshall's discovery of gold at Coloma, January 24, 1848.

Monday morning, July 27, 1903, the residents of Placerville were electrified by the news that fourteen desperate convicts had escaped from the State Prison at Folsom at about 6.45 o'clock that morning, and were on their way to El Dorado county. That was the first news; later the particulars of the event were learned.

The inmates of the prison, having eaten breakfast, were marching in line from the dining-room past the captain's office where Warden Wilkinson, Captain Murphy and other officers had assembled to inspect the prisoners. Several men abruptly left the ranks, and, with razors and knives as weapons, attacked the prison officials. They evidently intended to capture the officers instead of killing them, for the warden's clothing was merely slashed with a razor. C. J. Coth-

rane, the prison turnkey, entered the office and struck at the convicts with a cane, whereupon one of them stabbed him in the back. William L. Cotter and W. C. Chalmers, two guards, were slashed with razors, one in the abdomen, the other on the hands. Cotter afterward died. Guard Jolly was also wounded.

In this manner the convicts captured Warden Wilkinson and several lesser officials, and also young Harry Wilkinson, the Warden's grandson. The convicts then proceeded into the yard, using their prisoners as shields, with the result that the guards in the towers on the hill of the prison grounds were afraid to turn on the Gatling guns lest some of the officials should be killed.

The convicts seized a guard at the armory, took the keys, and, entering the armory, took what weapons they wanted, and left the grounds, going toward the Mormon Island bridge and taking the guards with them.

Following are the names of the escaped prisoners, their homes, terms and crimes:

Mike Miller of Fresno, serving twelve years for burglary; H. Eldridge, Alameda county, thirty years, burglary; J. Theron. San Francisco, life imprisonment, robbery; Fred Howard, Sacramento, fifteen years, robbery; J. H. Wood, San Francisco, for life, robbery; E. Davis, San Francisco, thirty-three years, robbery; J. J. Allison, San Joaquin county, four years, robbery; J. Murphy, Contra Costa county, fourteen years, bigamy; A. Seevis, Sacramento, twenty-five years, burglary; J. Roberts, San Francisco, twenty years, robbery; R. M. Gordon, Sacramento, forty-five years, robbery; R. Fahey, Sacramento, for

life, robbery—third term; S. J. Case, Los Angeles, robbery—third term.

A short distance from the prison grounds the convicts released the Warden after taking his hat. The Captain was next allowed to go without his trousers. With several of the minor officials still in their clutches, the convicts started in the direction of Pilot Hill, El Dorado county. Seizing a four-horse wagon on the road, they compelled the owner to drive them wherever they wanted to go. Reaching Pilot Hill about three o'clock in the afternoon, they helped themselves to whatever they wanted from the store of S. D. Diehl. But they remained too long. At five o'clock the Sheriffs' posses from Placer and Sacramento counties arrived on the scene. These men, forty-two in number, surrounded the place, and as the convicts' party were getting into the wagon seventy or eighty shots were exchanged, and one of the convicts, Allison, was so badly wounded that he afterward shot himself. Shortly after this, after escaping from the posses, the convicts released their captives, and it is supposed that they themselves separated into small parties, each going a different direction.

Company H of Placerville, belonging to the National Guard of California, was ordered out, first going to Folsom, thence to the north side of El Dorado county, where the convicts had first gone.

Various disquieting and conflicting rumors were heard during the arduous man-hunt which followed. On Friday, July 31, Company H and the men of Sheriff A. S. Bosquit's posse returned to Placerville after a fruitless search over the

hills in the vicinity of Lotus. Toward noon on Saturday, August 1, a message was brought to the Sheriff's office by Mrs. George Cozzens, from the neighborhood of Hank's Exchange, to the effect that Fred Twitchell, a boy of eleven years, who was picking apples in the orchard of his grandfather, Supervisor W. W. Hoyt, had seen five men who resembled convicts. They had come upon him suddenly in the orchard and had gone up the bed of Squaw creek. They were beardless, four of them carried guns, and the other had a sack or bundle. The boy had told Mr. Hoyt, who, upon examining the tracks of the men, saw that where the pedestrians had crossed the dusty road they had first walked on their heels, and then jumped, for the purpose of concealing their trail. Mrs. Cozzens was coming to Placerville, so word was sent by her to Sheriff Bosquit.

A posse was gotten ready without delay. In the meantime another message came. David Gipe, living at the Grand Victory mine, near Hoyt's place, sent word that two men had come to his house about noon and bought four dozen eggs and some bread, and also got salt and matches. While these two men were at the house, three others stood on the mine dump some distance off and watched proceedings, afterward joining the first two when they left the house.

Later, Andrew Kamenzind, who lived in a cabin at the head of Mathenas creek above Diamond Springs, sent a message. Five armed men had come out of the woods early that morning, obtained breakfast of him and then disappeared.

But some time before these later messages came, two parties had set off in pursuit of the

supposed convicts. One comprised a body of deputy sheriffs headed by Dallas Bosquit and went by way of Texas Hill. This posse was composed of William Krumpe, T. H. Allen, P. A. Young, J. E. Sexton, and C. E. Peters. The other party went through Coon Hollow, and were volunteers from Company H, led by Lieutenant Thomas Smith, and consisting of Will Rutherford, Festus Rutherford, W. G. Jones, Henry Walters, Albert Gill, W. C. Burgess and A. T. Bell.

The military boys proceeded to the Grand Victory mine, about five miles southeast of Placerville, and commenced to trail the convicts where they had left traces after going from Gipe's house, which was near by.

In this neighborhood are two hills perhaps two hundred feet high, and partially separated by a ravine. Four or five acres of ground on the summits of these hills are covered with a growth of manzanita bushes, so dense that a man must crawl to get through them.

Traces were found leading into this thicket of brush, but considerable search was made without bringing any further results. The men passed around the bushy tract in hopes of finding a trail leading away from it. Seeing none, they concluded to make a thorough examination of the hill. After going over portions of it, six men—Will and Festus Rutherford, W. G. Jones, A. T. Bell, W. C. Burgess and A. Gill—started to cross the summits with the intention of coming down through the ravine afterward. At about 4:30 o'clock, they were alternately walking and crawling upward through the manzanitas. As they neared the summits, one of the party—said to be Bell—caught sight of the convicts in the

bushes and exclaimed,

"There they are, boys!"

The words were hardly uttered before a leaden volley came hurtling around them. Jones instantly pitched forward and lay still. Festus Rutherford fired several shots. then he, too, fell heavily. A. Gill was shot in the right shoulder, but, dropping behind a log, he kept firing into the brush. He said that he saw Jones and Rutherford fall before he was driven back down the hill.

Bell, Burgess and Will Rutherford escaped injury, possibly because they were not in a direct line with the convicts' volley. After the first discharge the smoke and bushes together served to hide the criminals, and, although the men fired rapidly, their aim was necessarily inaccurate.

Henry Walters and J. A. Biggs were immediately despatched to Placerville for a surgeon and reinforcements. They arrived between six and seven o'clock, bringing the news that the men were wounded; for at the time they did not know that Festus Rutherford and Jones were killed, and A. Gill had been so excited during the skirmish that he did not seem to realize that he himself was wounded.

The town was thrown at once into a furore of excitement. Women and children wept, angry men rushed for firearms, and in a very few minutes vehicles crowded to their utmost capacity were clattering over the hills toward the scene of conflict. So great was the desire for vengeance upon the outlaws that it was impossible to find wagons enough in town to convey all the men who wanted to go. Doctors Wrenn, Mountain and Kellogg went along to attend to the

injured. By daylight more than one hundred armed men had encircled the thicket where the convicts were supposed to be in hiding.

Nothing could be seen of Festus Rutherford and Jones, who, so far as known, were still lying where they fell, within twenty feet of the convicts. Some of the men wanted to storm the hill that night, but the plan was discouraged as being an unnecessary risk of life.

During the vigil around the hillside a most unfortunate event happened. Philip Springer, whose home was in the neighborhood, took his gun and joined the guards on the picket line with the expectation of aiding them. But, instead of remaining in one place, he kept moving over the grounds. Just before ten o'clock he was challenged in the darkness by one of the guards. Being partly deaf, it is supposed that he did not hear, for he failed to answer the challenge, but continued to move about. Shots were fired and the hapless man fell dead, a bullet having entered his back and come out through the chest.

At daylight Will Rutherford organized a party of twelve or fourteen to mount the hill and recover the bodies of his brother and young Jones. The men advanced cautiously, supposing that the convicts were still in ambush. But soon they were sadly undeceived; their own little squad were all that were living on that rugged hill-top. A member of Company H suddenly discovered the familiar khaki uniform. Griffith Jones lay on his rifle, his head shattered and two bullet holes through his body. He had been bending forward, examining the ground for signs of convicts, when the first bullet struck

him and had probably died without suffering, for his head was shattered by the ball.

Festus Rutherford, still a boy under nineteen years, lay outstretched near his rifle and several empty shells, a bullet wound through his throat and right shoulder and another piercing his chest and coming out under his right arm-pit. There was nothing to indicate that the bodies had been disturbed after the fatal shots were fired.

About fourteen feet away was the convict camp, deserted. The outlaws had evidently escaped in the confusion which followed the shooting, quitting the hill on the opposite side from where the bodies lay. There was every indication of a hasty departure. Three large revolvers, a coat, some vests, several hats—one having a bullet hole in its brim—and the field-glasses stolen from Diehl's store at Pilot Hill, were found in the convicts' late camp. There were also a large can of water and several smaller cans, and the ground was strewn with 45-70 cartridge shells. Nothing was there to indicate that any convict had been killed or even wounded.

Tenderly, sadly, did the men carry from the thicket the bodies of the brave young soldiers, the innocent victims of a prison official's incompetence.

After the recovery of the bodies the hill was fired, but without avail. The convicts were evidently miles away.

A few of the outlaws were afterward captured and two of them paid the extreme penalty of the law. Theron, the ringleader, and some others, are still at large. But only two were caught who participated in the shooting at Manzanita Hill. John H. Wood, deserter from the American army

in the Philippines and several times a murderer and a robber, was captured in Reno, Nevada, August 24, 1903. returned to California, and on December 31, 1903, was, together with Joseph Murphy, indicted by the Grand Jury of El Dorado county for the murder of J. Festus Rutherford. The trial of John H. Wood began in the Superior Court of El Dorado county February 23, 1904, the people being represented by District Attorney Peters, A. M. Seymour and Clarke Howard, and the defendant first by J. P. G. Miller and later by W. F. Bray. The trial closed on the 16th of March, Wood being found guilty of murder in the first degree. His counsel appealed to the Supreme Court, but that body sustained the verdict of the lower court. On January 31, 1905, three days before he was to have been taken to Placerville to be re-sentenced, John H. Wood committed suicide in his cell at the State Prison in Folsom by hanging himself with a rope made of strips torn from his pillow cover.

Joseph Murphy, another of the convicts who was at Manzanita Hill, was tried in Sacramento, found guilty of the murder of Guard Cotter of the Folsom prison, and notwithstanding that his attorneys did all in their power to save him, he expiated his crime on the scaffold, July 14, 1905.

On Tuesday, August 4, 1903, the bodies of J. Festus Rutherford and W. G. Jones, the soldier lads who had met so untimely a death, were buried in the Union Cemetery with full military honors; and to-day a suitable monument commemorates their heroic sacrifice and marks their quiet resting-place in the beautiful city of the dead. Upon the stone, also, is carved the name of George Williams, another member of Com-

pany H, a faithful and manly young soldier, who died of typhoid fever in the spring of 1904 and who is again communing with the other departed comrades whom he loved so well upon earth.

Thus young and old, native son and pioneer, fall before the world-conqueror. Of the builders of our state, those sturdy men of the "days of gold," there remain but a scattered few. Among them none looks more hopefully toward the future than does the veteran lawyer and editor, G. J. Carpenter.

CONCLUSION.

“Touch me gently, friend of mine;
I’m all that’s left of ’49.
Many a long-forgotten face
Hath watched me in my good old place,
Many a heart, once true and warm,
Hath watched through me the threatened storm.
A moral on my face is cast
Which all must truly learn at last:
Man’s hopes and fears are all, alas!
Like me, a fractured pane of glass.”

These lines, written by William Frank Stewart
upon a pane of glass set in the first log cabin

built in Placerville—erected in 1848 by Benjamin F. Post—*fittingly illustrate the passing of all that was temporal of the pioneer days. But the spirit of '49, that intangible human quality which has alone made the greatness of our commonwealth, yet remains.

Following the decadence of mining in the seventies, those other and abiding industries of fruit-raising and dairying began to assume a prominent place in El Dorado county's activities. Her mines were but temporary at best; but her fertile soils and matchless climate were inexhaustible.

Early on the 18th day of April, 1906, the wires flashed the startling news that San Francisco, California's metropolis, had been partially destroyed and afterward set afire by an earthquake which had struck the city at 5.16 o'clock that morning.

In the trying days which followed Placerville and El Dorado county did their full share to succor and comfort the hapless thousands of the stricken city.

Hardly had the embers cooled among its smoking ruins when the people, undismayed by the awful calamity which had laid the works of half a century in ruins, began clearing away the debris in readiness for the rebuilding of that vastly greater and more beautiful city which they knew must arise along the shores of that magnificent bay.

* This cabin stood on lower Main street, opposite Morey's foundry, on what is known to-day as the "old Fred Hoffmeister place," now owned by H. C. Marsh. It was torn down during the Eighties by F. Hoffmeister, Sr. The lines quoted were written on the pane of glass April 19, 1865, the day of President Lincoln's funeral.

And the indomitable will and confidence which is causing San Francisco to spring again from its ashes is likewise slowly but steadily fitting El Dorado, the old "Empire County," for a career of happiness and prosperity which may even exceed the Utopian dreams of the fathers and mothers who braved the dangers and the hardships which ever beset the pathway of him who ventures into new and untried fields.

THE END.

APPENDIX.

JOAQUIN MURIETA*, THE BANDIT.

Joaquin Murieta's life is not actually a part of El Dorado county's history. Despite the assertions of a few pioneers to the contrary, none of the depredations of that notorious outlaw were committed in El Dorado county; nor can any record be found of his ever having visited the county. His field of operations lay principally in that portion of the state immediately south of El Dorado, and in toward the southwest, particularly in the county of San Joaquin. Still, the residents of our county in the days of Murieta's career lived in constant dread of invasions by his band of cutthroats, and for that reason a sketch of his life will doubtless be a most acceptable addition to this book.

Joaquin Murieta was a Mexican of good family and was born in the province of Sonora. He received a common-school education in his native country. In those days he was remarkable for a very mild, peaceable and generous disposition,

* Pronounced, hwa-keen mu-ree-etta.

in strange contrast to the daring and often fiendish spirit which controlled his actions in later years.

At the time Joaquin was seventeen years old, there lived near his father's "rancho" a "packer" named Feliz, a widower with a sixteen-year-old daughter and a son a few years younger. Rosita, the daughter, was her father's sole housekeeper, and is described as a dark-eyed, voluptuous beauty of the Spanish type. Her father idolized her.

Joaquin, having little to do besides superintending the herding of stock upon the rancho, was often a caller, upon various pretexts, at the cabin of Feliz, particularly when the old man was absent; and he enjoyed many a chat with the handsome Rosita. It was not long until these frequent meetings between the two young people resulted in a feeling of regard considerably stronger than friendship. As the packer was absent more than half the time, and no other person except Rosita's young brother, Reyes, came near—and he but seldom intruded—Joaquin and his sweetheart were absolutely unrestrained in their intercourse. Given such a condition, and the passionate Spanish natures of such a boy and girl, and evil must inevitably result. Rosita realized this only when her honor was compromised. The father, returning home, learned of his daughter's shame, and drove the affrighted Joaquin in rage from his premises. But the fair Rosita, forgetting her wrongs in her great love for the person who had wronged her, stole away from her father's house one moonlight night, and hurried to her lover at his home near-by.

Joaquin had meanwhile received a letter from his half-brother in California, describing that territory in glowing terms, and urging him to come there immediately. Joaquin soon made his preparations; and mounted upon a fine horse, with Rosita beside him upon another, and with two mules laden with provisions and other necessities, he started for the land of gold. The trip was uneventful.

In the spring of 1850, Joaquin was engaged in placer mining in the Stanislaus district, then one of the richest mining localities in the West. He had built a comfortable home and lived there in peace and happiness with the beautiful Rosita.

There were many refined and conscientious Americans in California at this time, but there were also a large number of persons of very different character—coarse, illiterate men calling themselves Americans, but whose every action brought disgrace upon that honored name. The latter class had a feeling of contempt for all Mexicans, whom they looked upon as an inferior race, subjects of the United States and having no rights which an American need respect. Joaquin early came into contact with representatives of that lawless, domineering element.

On a pleasant evening, Joaquin was sitting in his doorway, after a hard day's work, and listening to Rosita, who was singing a dreamy air of her native land, when a band of men approached, and accosting Murieta, demanded, in a supercilious and insulting manner, by what means he, a

"damned Mexican," presumed to be working a mining claim on American ground. Joaquin, who had learned English from Americans he had met frequently in Sonora, replied that, under the treaty of Guadalupe Hidalgo, he had a right to become a citizen of the United States, and that as such he considered himself.

"Well, sir," said one of the party, "we allow no Mexicans to work in this region, and you have got to leave this claim."

Naturally, Joaquin indignantly remonstrated; but his words elicited additional insult and insolence, and one strapping fellow stepped forward and struck him in the face. Joaquin, with a cry of anger, sprang towards his bowie knife, which lay on the bed near-by, when Rosita, fearing for her lover's safety, seized and held him. His assailant again advanced, and, rudely throwing Rosita aside, struck Joaquin repeatedly until the Mexican fell, bruised and bleeding, to the floor. At this outrage, Rosita, catching up the knife, made a quick thrust at the American. But she was quickly disarmed by the cowardly ruffian, and thrown fainting upon the bed; and Joaquin, who had meanwhile been bound, hand and foot, by other members of the party, saw his beloved companion deliberately violated by these beasts in the form of men. They then left, telling Joaquin that if he were found in that cabin or on that claim at the end of ten days, his life would be forfeited.

The young Mexican, as his mistress unbound him, swore that he would hereafter live for revenge; but Rosita, with tears, implored him to live for her, as he knew she lived only for him, and to try and forget their wrongs in some other and happier place. Her loving entreaties won the day, and Joaquin promised to forgive the past.

The outrage above narrated would alone have been enough to arouse desires for revenge in the hearts of some of the best of men, and Joaquin deserves great praise because of his forbearance at that time. True Joaquin and Rosita were cohabiting without having been legally married; but their relations were at least hallowed by mutual, abiding love; while, on the other hand, lawful marriage is frequently a mask for legalized sensuality. I do not wish to uphold such illicit relationships; nevertheless, Joaquin, despite his grave faults, remained true to his first love throughout his wild career. He became a robber and a cutthroat, but he was never a libertine.

Joaquin settled next in the mountains of Calaveras county. Here he decided to follow the occupation of a farmer. But one day, when he was busied with ax and mattock, clearing his ground, several Americans rode up and notified him that they allowed no "infernal Mexican intruders," like him, to own land in that neighborhood. Joaquin's anger arose; nevertheless, he answered mildly that he was the only occupant of the valley, that he acknowledged allegiance to the American government, that the treaty of peace between the United States and Mexico gave him his choice of citizenship either in California or Mexico, as he liked, that he had already been driven

from the mines without any crime or offense on his part, and that all he asked now was a very small piece of ground, and the shelter of a humble home for himself and companion. But he was again told to go, and he went, uncomplainingly.

Arriving at Murphy's Diggings, in Calaveras county, in April, 1850, he once more began mining, this time without interruption. But not meeting with much success, he abandoned the business and devoted his time to dealing "monte," a popular Mexican game which was in much better repute in those days than it is now. Joaquin found the new occupation extremely profitable, and his pleasing appearance and manner, combined with his great good nature, soon made him a general favorite.

His half brother, who has already been mentioned, lived near Murphy's Diggings. At one time Joaquin paid him a visit, and rode back to the Diggings on a horse borrowed from his brother. The animal, which Joaquin's brother had bought, proved to have been stolen. It was recognized by a number of persons in town, among them being the owner, a stout, coarse-appearing fellow named J——s; and Joaquin quickly found himself surrounded by a furious mob.

"So, my Covey," said J——s, laying his hand on Joaquin's shoulder, "you are the chap that's been a-stealing horses and mules around here for the last six months, are you?"

"You charge me unjustly," replied Joaquin. "I borrowed this horse of my brother, who bought it from an American, which he can easily prove, as well as show a bill of sale besides."

"This is all gammon," said J——s, "and you are nothing but a dirty thief."

"Hang him!" "Hang him!" cried out several voices from the crowd, and Joaquin was immediately seized and bound. Then some one suggested that, before they went to extremities, they had better see what the half-brother had to say for himself.

"Yes, nab him, too!" several persons exclaimed, and the mob at once started for the half-brother's house, taking their prisoner along with them.

"All I want you to do gentlemen," said Joaquin, "is to give my brother a chance to prove his and my innocence. Let him have time to summon his witnesses."

Jeers and contempt were the only answer; and the mob, having reached the place, seized the half-brother, and, with hardly a word of explanation, hurried him to a tree and hanged him. Joaquin wept bitterly at the sight and begged immediately to dispose of him in a like manner. But the crowd had changed their original intention with regard to Joaquin, and, instead of being hanged, he was bound to the same tree and publicly disgraced by whipping. A spectator of the scene afterward declared that he never saw such an expression in all his life as at this moment passed over the face of Joaquin. A look of ineffable scorn and hate was bent upon his torturers, and he measured them from head to foot, as if

he would stamp their images upon his memory forever. He received their blows in silence and disdain; and when the deed was ended, he donned the garb which had been torn from his shoulders, and was left alone with his dead brother.

Standing over the grave of his last and dearest relative, in the presence of a few friends who had come to his assistance, he swore an awful oath that his soul should never know peace until his hands were dyed deep in the blood of his enemies! From that hour Joaquin Murieta was a changed man. The generous, kind-hearted Mexican had vanished, and in his place walked a moody, scowling individual, who avoided all Americans and was frequently seen riding off into the woods with some of his most disreputable countrymen.

Shortly after this an American was found dead near Murphy's Diggings, having been almost cut in pieces with a knife. He was recognized as a member of the mob which had whipped Joaquin and hanged his brother.

Report after report came of the finding of murdered men along the highways, and in every instance they were recognized as belonging to the mob who had so deeply wronged Joaquin. J — s, the owner of the horse which had first caused the trouble, was among the missing; but, as his body was not found, no one ever knew whether he had been killed or had voluntarily fled the country to evade Joaquin. A certain person well acquainted with the bandit's career, afterward said:

"I am inclined to think Joaquin wiped out the most of those prominently engaged in whipping him."

Thus did Joaquin Murieta, goaded by repeated persecutions and outrages, become an outlaw and a bandit before he was nineteen years of age.

It was then too late to turn back, even had he desired to do so. He had already committed deeds which placed him outside the pale of the law, and thenceforth robbery was his only means of livelihood.

In 1851 it was learned that an organized banditti were ranging the country, but their leader's name was unknown. Travelers, carrying gold from the mines, would be stopped by well-dressed men who politely requested them to give up their treasure. Strangers, riding along lonely highways, would be noosed with the lasso, dragged into the nearest thicket, and murdered. Horses of the finest breeds were stolen from the ranches, and being followed, were found in the possession of a band of fearless men, ready and able to retain their booty.

The scenes of murder and robbery shifted rapidly to almost every point of the compass. No one knew when or where the next blow would fall.

Joaquin, owing to his superior intelligence and education, gained an immense influence over his followers, and his forces were quickly augmented by others of his countrymen, still smarting under the stings of defeat in the Mexican War, and anxious to be avenged upon at least a portion of their conquerors. In a brief space of time Joaquin had gathered about him one of the

most brutal, fearless and powerful gangs of desperadoes that ever existed.

His lieutenant was Manuel Garcia, better known as "Three-Fingered Jack," so named from the fact of his having had one of his fingers shot off in a skirmish with a party of Americans during the Mexican War. This man was by far the worst member of all that notorious band of thieves and assassins. If "Three-Fingered Jack" possessed a single redeeming trait, no person has succeeded in discovering it. He was virtually a fiend incarnate, who committed murder solely for the pleasure it afforded him, and who gloated over the agonies of his victims. He was known to be the same person who, in 1846, surrounded with his party two Americans, young men named respectively Cowie and Fowler, as they were traveling between Sonoma and Bodega, stripped them completely naked, and, binding them each to a tree, slowly tortured them to death. He began by casting knives at their bodies, as if practicing at a target. He then cut out their tongues, punched out their eyes with his knife, gashed their bodies in many places, and, concluding by actually skinning his victims alive, left them to die! Whenever a particularly revolting, diabolical crime was to be committed, this man was always deputed by Joaquin to do the deed; for, even at his worst, Joaquin personally never stooped to such a depth of villainy.

Four other important members of the band were Reyes Feliz, Claudio, Joaquin Valenzuela and Pedro Gonzales. The first will be remembered as the brother of Rosita, Joaquin's mistress. He was but sixteen years of age. His father having died, the boy had hastened with the remnant of the property to join Joaquin. Not naturally a vicious boy, he was brave, impulsive and generous, but had pored over the wild, romantic tales of the chivalrous robbers of Spain and Mexico, until he had been fired with a desire to emulate those reckless freebooters. Claudio, about thirty-five years of age, of a lean, but vigorous constitution, and a somewhat savage, yet lively and expressive countenance, was brave, but very cautious and cunning, and he would spring upon his prey most unexpectedly and execute his purposes with the greatest secrecy and precision. He was an adept calculator and schemer, and he could readily assume an appearance of honesty and respectability. Joaquin Valenzuela, a man considerably older than his leader, Joaquin Murieta, had served for many years under the famous guerilla chief, Padre Jurata. Valenzuela was often entrusted by Murieta with the leadership of the band. He was used to being mistaken for his chief; some persons, who knew him simply as "Joaquin," and who saw him after the announcement of Joaquin Murieta's death, insisted that the notorious Murieta was still alive.

Pedro Gonzales, while less brave than many others, was a skillful spy and expert horse-thief, and as such was a valuable adjunct to a body of mounted men who constantly required fresh supplies of horses, as well as a thorough knowledge of conditions around them.

It was estimated that the company's membership at that period was at least fifty, and it was continually being increased

by the addition of new members, including a few renegade Americans.

At the head of this powerful organization, Joaquin ravaged various parts of the State during 1851, though at that time he was not generally known as the leader; his subordinates, Claudio, Valenzuela and Pedro Gonzales, each repeatedly being mistaken for the chief. Few persons really knew his name, although many were personally acquainted with him and saw him frequently in different towns and villages, without having the faintest idea that he was responsible for the many bloody events which were filling the country roundabout with terror and dismay. He would live for weeks at a time in various neighborhoods, apparently engaged in gambling, or employed as a vaquero, a packer, or in some other peaceful occupation.

In the summer of 1851, while he was living in a secluded part of San Jose, he became one night involved in a row at a fandango, was arrested for a breach of the peace, brought before a magistrate and fined twelve dollars. He was in charge of Mr. Clark, the Deputy-Sheriff of Santa Clara county, who was particularly hated by the banditti on account of his determined attempts to arrest members of the gang. But Joaquin was personally unknown to the deputy, and when the bandit politely requested the officer to come to his residence in the outskirts of the town, where he would pay him the money, Mr. Clark, suspecting nothing, promptly acquiesced.

The two men were walking along, conversing pleasantly, when suddenly, at the edge of a thicket, Joaquin drew a knife, and, telling the officer he had brought him there to kill him, quickly stabbed him to the heart.

In the fall of the same year, Joaquin moved further north and settled with his mistress at the "Sonorian Camp," a village of tents and cloth houses, situated three miles from Marysville, Yuba county. Soon the country rang with the accounts of frequent, diabolical murders. Seven men were killed within three or four days in a region about twelve miles in extent.

Not long after this, two men, traveling on the road which leads up Feather river, near Honcut creek, discovered in advance of them four Mexicans, one of whom was dragging at his saddle-bow, by a lariat, an American whom they had just lassoed around the neck. Not thinking it prudent to interfere, the travelers hastened to a place of safety and reported what they had seen. Upon search being made, four other men were found murdered near the same place, having upon their throats the fatal mark of the lariat.

Following these outrages, came reports that several persons had been robbed and killed at Bidwell's Bar, ten or fifteen miles up the river,

Suspicion fell on the Sonorian Camp, as it was occupied exclusively by Mexicans, many of whom had no visible employment but who rode fine horses and spent money liberally. This suspicion was confirmed by the partial confession of a Mexican thief who had been captured by the "Vigilance Committee" of Marysville, and had been run up with a rope several times to the branch

of a tree. He denied that he was guilty of any crime himself, but asserted that the Sonorian Camp was the 'retreat of certain persons who had been carrying on the system of murders and robberies complained of.

Obtaining a description of the most important residents of the suspected camp, the Sheriff of Yuba county, R. B. Buchanan, accompanied by a man known as "Ike Bowen," started off one moonlight evening to examine the premises, and, if possible, to surprise the outlaws and capture one or more of them. Hitching their horses half a mile from the camp, they continued the journey on foot. Coming abruptly upon a small tent, a few hundred yards from the main camp, they were barked at by a vicious dog, whose fierce outcries threatened to alarm the encampment.

"It won't do to be bothered with such a howling as this," said Buchanan, "and we must kill that dog. It strikes me that I can manage it. If we appear to be frightened, he will come directly up to take hold of one or the other of us. Then we must let him have a little cold steel."

So the two moved off hastily, and, as Buchanan had predicted, the animal rushed forward savagely. Bowen, being a little in the rear, the dog sprang upon his back, got him down, and was proceeding to inflict more serious injury, when Buchanan, drawing a bowie knife, plunged it into the heart of the beast, laying him dead on the spot.

The dog being disposed of, the Sheriff and his companion continued their advance, but the stirring to and fro on the outskirts of the camp showed them that too much warning had already been given.

In an isolated corner near a piece of fencing, a Mexican wrapped in his serape was standing and peering out anxiously into the shadows. He seemed to answer the description of the Sonorian desperadoes, as given by the thief whom the Vigilance Committee had frightened into confessing.

"Let us get down on our hands and knees, or we may be discovered," said Buchanan.

Crawling in this way, they reached the fence and discovered that the Mexican had disappeared.

"The fellow has seen us," remarked Buchanan, "and we must look sharp or he and his crowd will have the advantage."

He and Bowen had just begun to crawl through the fence, when they were startled by three distinct shots, which were quickly repeated. Extricating themselves from the fence, they rose to their feet and saw three Mexicans firing at them from a spot near a bush, behind which they had hidden. The Sheriff and his deputy quickly returned the fire, and a lively engagement followed. The Mexicans retired, apparently uninjured, and Buchanan then discovered that he himself was severely wounded. A few hundred yards from the scene of the encounter, he fell to the ground and was unable to rise. The ball had struck him near the spine, and, passing through his body, had come out in front near the navel. Leaving him lying there, Bowen hurried to his horse and rode swiftly to town for assistance, which soon arrived, and Buchanan was taken back to Marysville. He re-

mained long in a very critical condition, but eventually recovered, to the extreme gratification of the community, who had good reason to admire the brave officer who had nearly sacrificed his life at the call of duty. It was not until years afterward that Sheriff Buchanan learned that he had received his wound in a personal encounter with the celebrated bandit, Joaquin Murieta. It was he who had stood near the fence and discovered the approaching forms of the Sheriff and his companion.

After this occurrence, the banditti soon left the vicinity of Marysville and rode off into the Coast Range mountains to the west of Mount Shasta. Here they hid themselves for months in the forests, venturing forth only at intervals for the purpose of stealing horses. In this work they induced many of the Indians to help them. So many valuable horses disappeared, that the settlers were finally aroused to action. On one occasion a party of exasperated Americans, on the track of their stolen animals, succeeded in hemming the Indian thieves in between a perpendicular wall of bluffs and a deep river, so that the only avenue of escape was the stream, which swept by in an angry, foaming torrent. They opened fire upon the Indians, who leaped into the river, a few succeeding in crossing, but most of them being stopped by avenging bullets. Suddenly a tall Mexican, mounted upon a fine horse, dashed down the bank, firing his revolver as he rode, and plunged into the river. He had gained the middle of the current when a lank Missourian, the best marksman in the party, dismounted from his horse, drew his rifle to his shoulder, and, taking careful aim, fired. The Mexican leaned forward an instant, then floated from the saddle and sank, while the riderless steed breasted the waves and reached the opposite shore in safety.

In those trackless wilds through which none but straggling miners passed at intervals, human skeletons were afterwards found, some of which showed plainly the mark of the leaden ball; and the ignorant Indians had to answer for many a deed perpetrated by civilized [?] beings. More than one prospector went up into the mountains in the fall and winter of 1851, and never was seen again.

In the spring of 1852, Joaquin and his party, traveling by night only, visited the province of Sonora, his old Mexican home, taking two or three hundred horses, stolen during the winter. Returning in a few weeks, the bandits established headquarters at Arroyo Cantoova, a large tract of fine pasture land lying between the Tejon and Pacheco pass, east of the Coast Range and west of Tulare Lake. A few weeks later Joaquin divided his band, comprising about seventy men, into separate companies, headed by Claudia, Three-Fingered Jack and Valenzuela, and despatched them to various localities, with orders to devote themselves mainly to stealing horses and mules, as he had a scheme to carry out which required at least fifteen hundred or two thousand animals. He himself, in company with Reyes Feliz, Pedro Gonzales and Juan, and three women—Rosita and the mistresses of Feliz and Gonzales—proceeded on a different course. All

were heavily armed, including the females who were dressed in male attire. Reaching Mokelumne Hill, Calaveras county, they took up quarters with some Mexican acquaintances in that place; while the other inhabitants of the town, deceived by the genteel appearance of the newcomers, looked upon them simply as peaceable residents of the neighborhood. The women of the party, who now appeared in their proper attire, were admired for their very modest and quiet deportment. None suspicioned that the men, riding forth at night, scoured the country for miles around, upon stealthy and questionable expeditions.

Early in May Joaquin decided to leave Mokelumne Hill, which he resolved to do at the hour of midnight. The horses were saddled, the women dressed in their masculine garments, and everything was ready, when Joaquin sauntered out into the streets for his customary visits to the sundry drinking and gambling resorts. Sitting at a monte table, where he had carelessly put down a dollar or two to while away the time, his attention was suddenly arrested by hearing someone pronounce his name.

Looking up, he beheld three or four Americans just opposite him engaged in a loud and earnest conversation. One of them, a tall fellow, armed with a revolver, remarked,

"I would just like once in my life to come across Joaquin. and I would kill him as quick as I would a snake."

The bold outlaw, upon hearing that speech, jumped upon the monte table in view of the whole room, and drawing his pistol, cried loudly,

"I am Joaquin! If there is any shooting to do I am in!"

The act was so sudden and unexpected that instant confusion reigned, and in the midst of the general consternation Joaquin gathered his cloak about him and walked out unharmed. But his fearless avowal of his identity rendered a longer stay in that neighborhood extremely dangerous. So, mounting his horse as quickly as possible, he dashed away with his party at his heels, sending back a shout of defiance that echoed loudly through the darkness.

Returning to his rendezvous at Arroyo Cantoova, he learned that his marauding bands had collected two or three hundred head of horses, and were awaiting his orders. He sent a portion of the men to take the animals into Sonora for safekeeping and he also made remittances of money to a secret partner of his in that state.

It was soon after this that Joaquin, being short of funds, needlessly murdered a young American teamster, and that his conscience always smote him because of the murder of so honest and hard-working a young man. But the victim had tried to draw a pistol and Joaquin felt compelled to kill him.

At this period Captain Harry Love was at the head of a small party, organized on his own responsibility, in search of this notorious outlaw and his gang. Love had been an express rider in the Mexican War, and had carried dispatches from one military post to another, over the most dangerous parts of Mexico. He had traveled alone for hundreds of miles over mountains and deserts, in a region beset by guerillas, those bands of lawless men who

hung upon the skirts of the American army, lay in ambush at mountain passes and watering places, and murdered every person who fell into their hands. As they rode fast horses and were expert in using the lariat, it required a well-mounted horseman to escape them on the open plains. Many a hard race had Captain Love run to save his own life and the valuable papers committed to his care. Since early youth he had been a hardy pioneer, inured to all the dangers and hardships of the border. His previous training, together with his unvarying coolness in times of danger, made him well-fitted to cope with a person having Joaquin's quickness and precision of thought and action.

Captain Love was already on the outlaw's trail when Ruddle was murdered. With as great speed as was consistent with the caution necessary in such a case, he pursued him by the bloody landmarks which the robberies and murders left behind him as far as the rancho of San Luis Gonzagoes, which is now known to have been the place which regularly gave shelter to the banditti. Reaching that spot he ascertained by means of spies that the persons he was searching for were staying in a canvas house on the edge of the rancho.

Cautiously the Captain and his men stole up to the place indicated, and had just reached the door when the alarm was given by a woman in a neighboring tent, and in an instant Joaquin, Gonzalez, Reyes Feliz and Juan had cut their way through the back part of the canvas and escaped into the gloom without. On entering the pursuers found no one but women, three of whom, then dressed in their proper attire, were the bandits' mistresses, of which fact the Captain was ignorant, however.

Leaving the women to look out for themselves, the fugitives went to their horses, which were tied in an adjacent thicket, mounted them and rode directly to Oris Timbers, eight miles distant, where they stole twenty horses and drove them into the neighboring mountains. They remained in hiding all the next day, but at night returned, unanticipated by Love, and, with the women, rode back into the hills. Driving the stolen horses before them, they started across the Tulare Plains toward Los Angeles. The Captain followed them no further, having business which recalled him.

At this time Captain Harry Love, whom the robbers dreaded most of all, was Deputy-Sheriff of Los Angeles county. Love knew Gonzales personally, and he had caught a glimpse of that outlaw and his associate, Juan, near the Buena Ventura Rancho, which was known by a very few to have been a harboring-place for Joaquin and was closely watched in consequence. In a few days word came to the robber chieftain that Captain Love had captured Gonzales and that Juan had escaped after a very close clipping along the top of his head by a bullet from the Captain's revolver. Joaquin heard also that the doughty officer was at that moment hurrying with the prisoner to Los Angeles where he would certainly be hanged. Determined to rescue his confederate, Joaquin started at full speed to overtake Love. They came in sight of the two men at daybreak the next morning. Gonzalez not bound, but unarmed, was riding at the side of his captor. Seeing his comrades approaching, he waved his handkerchief. At that the Cap-

tain turned, and, catching sight of the bandits,, immediately drew his revolver and shot Gonzales through the heart. Then, putting spurs to his horse, he soon distanced the enraged desperadoes!

While in this neighborhood the gang afterward ambushed and cruelly assassinated General Bean, a wealthy citizen of Los Angeles, who had incurred the enmity of the robbers by his untiring efforts to bring them to justice. Captain Wilson, Deputy-Sheriff of Santa Barbara county, who had come to San Gabriel in search of Joaquin, was enticed out by means of a mock Indian row and served in like manner. These outrages roused the whole southern country, and Joaquin, hastily collecting his party, moved northward into Calaveras county. A young man, Joe Lake, who had been the bandit's friend in Joaquin's honestier and happier days, met the chief here and was warned not to speak of the meeting. But Lake, true to his duty as a man and a citizen, divulged his secret to acquaintances in the town of Hornitas, was shadowed by a spy of the robber's, and the next day shot dead by Joaquin himself, who entered the town in disguise, and escaped amid a shower of bullets from the pistols of the bystanders.

For some months after this the banditti sojourned in the wilds of Mono county, where they spent the time in the peaceful occupation of exploring that almost unknown region. Reyes Feliz, who was still weak from the wounds inflicted by the grizzly bear, remained meanwhile at San Gabriel in the care of his mistress

Early in October Joaquin and his men journeyed to the vicinity of San Luis Obispo. While there, the bandit read in a copy of the "Los Angeles Star" that Reyes Feliz, brother of Rosita, Joaquin's mistress, had been caught, and after a trial on the charge of being a party to the murder of General Bean, had been hanged. It is but just to state, however, that Feliz, though concerned in many a cruel murder, was guiltless of that particular crime for which he was executed. His female companion, heart-broken, wandered into the forest where she died. Soon after this, news came that Mountain Jim had been executed at San Diego.

Joaquin, hearing that a party of Americans was scouring the woods in search of his gang, gathered his men together and succeeded in ambushing his enemies. But a fierce combat took place, in which twenty bandits, one being Claudio, were killed, and about an equal number of the Americans, including their young leader, lost their lives. Some weeks later the outlaws started for Mariposa county. During the journey they had occasion one night to arouse a ferryman near the Tuolumne river. The man came out in great terror and asked what was wanted.

"We want to cross the river," Joaquin replied, "and before doing so we wish to obtain from you the loan of what spare cash you may have about you. You have the best evidence of the urgency of our request," cocking the pistol and presenting it close to the fellow's head.

"Never mind the evidence, Senor. I believe you without it.

"I will certainly loan you all I have got."

He lighted a candle and produced from beneath his pillow a purse containing one hundred dollars.

"Come," said Three-Fingered Jack, bursting a cap at the man's head, "you have got more;" and he was cocking his pistol again when Joaquin reprimanded him sharply. And then, turning to the ferryman, he asked,

"Is this all you have got?"

"Precisely all, Senor; but you are welcome to it."

"I won't take it," said the chief proudly. "You are a poor man and never injured me. Put us over the river and I will pay you for your trouble."

This incident is an evidence of the latent goodness in the bandit's nature, of which we get occasional glimpses even during his worst days.

The bandits soon arrived in the neighborhood of Stockton, and one Sunday Joaquin rode into that city, attracting much notice because of his handsome face and costly raiment. While there he observed the following notice posted upon the side of a house:

"Five Thousand Dollars Reward for Joaquin—dead or alive."

The young Mexican dismounted, wrote these words in pencil underneath, "I will give \$10,000. Joaquin;" then mounted and leisurely rode out of town.

Learning one evening that a vessel would shortly go down Stockton slough, toward San Francisco, and would have on board two miners from San Andreas, Calaveras county, with heavy bags of gold-dust, which they were taking to their home in the East, Joaquin, with three of his men, proceeded in a small boat to an obscure part of the slough, intercepted the vessel, boarded it, killed four persons, including the miners, and escaped with the gold-dust, but left two of his brother bandits lifeless on the deck, killed by the two miners almost simultaneously with their own fall.

After returning to his rendezvous in Arroyo Cantoova, Joaquin called his bands together, one hundred members in all, and fully explained to them his views and purposes. He told his followers that he could command, at will, two thousand men who were ready to organize in Sonora, Mexico, and in this State; that he had abundant funds deposited in a safe place—meaning with his secret partner in Sonora; that he intended to arm and equip the entire band, and scour the whole southern portion of the state, killing the Americans by hundreds, burning their ranches and running off with their property, so rapidly that his enemies would not have time to collect an opposing force until he had finished his raid and escaped into the mountains of Sonora, where he would then settle down for the remainder of his life.

But the details of this bold and atrocious scheme leaked out in some way and came to the ears of Captain Harry Love and others, causing them to renew their efforts to capture or slay the

robber chieftain.

There is not space in a single chapter to relate in full the subsequent career of this most remarkable outlaw. It is a long record of crimes done in various parts of California. All that can be given in a work of this nature is a hasty sketch of the general events in the bandit's life, describing minutely only the most important happenings. This book is intended as a history of El Dorado county, and little space can be allowed to the deeds of an outlaw in other communities of the state.

During his stay at the rendezvous Joaquin was one day persuaded by his mistress to spare the lives of an American party of ten hunters whom he had enticed into his camp. And shortly after, in Stanislaus county, when one of his followers had abducted a beautiful young woman, Joaquin exhibited the best side of his character by giving the offender a vigorous tongue-lashing and promptly returning the girl, unharmed, to her mother.

Joaquin's narrowest escape from death occurred in Calaveras county. At the head of a branch of the South Fork of the Mokelumne river, near the boundary line of Calaveras and El Dorado counties, he came, unattended, upon a party of twenty-five miners, fully armed. Joaquin found them very hospitable, as miners are inclined to be; and he was conversing sociably, while he sat with one leg thrown over his horse's neck, until Jim Boyce, one of the partners, returning from the spring with a pail of water, appeared in view. At the first sight of him the young Mexican flung his reclining leg back over the saddle and spurred his horse.

"Boys, that fellow is Joaquin!" roared Boyce. "Damn it, shoot him!" and he himself fired, but without success.

The bandit dashed away. His only chance to escape was along a narrow digger-trail, over a ledge of rock a hundred yards in length, whereon the least misstep would hurl him to his death one hundred feet below. But not a moment did he falter. With the bullets of his enemies cutting the air all around him, he rode at full speed over that fearful trail. For a hundred yards he was exposed to those leaden missiles, but he waved his bowie-knife in defiance and shouted tauntingly:

"I am Joaquin! Kill me if you can!"

Thicker came the hurtling balls, and bullet after bullet flattened on the wall of slate at his right. His hat was shot from his head and left his long black hair floating behind him. He had no time to use his revolver, but he continued to wave his glittering blade as he flew onward in that wild ride. In a few moments an exultant whoop announced that the bold outlaw had escaped. But his late pursuers were to meet him again in a manner they never anticipated.

Promptly, the next morning, Jim Boyce and his companions started in search of the bandit's hiding-place. But Joaquin, knowing Boyce's determined character, and expecting pursuit, left his camp at night, at the head of his men, and making a circuit of five miles, waited in ambush for his foes.

The next night the miners were seated around the fire in a camp lately deserted by the outlaws. They were laughing and joking, all unconscious of danger, when, with a startling abruptness, the simultaneous reports of fifteen pistols cut the air, and the survivors, springing up in affright, saw fifteen of their comrades stretched upon the earth. Instantly a second volley swept the camp, seven other men dropped, and the three survivors, including Jim Boyce, fled headlong into the darkness and escaped. Three Fingered Jack leaped into the camp, and with his knife held tightly in that mutilated hand, so often stained with human blood, soon quenched any sparks of life remaining in those hapless victims. About thirty thousand dollars in gold-dust, fifteen horses and ten mules were the fruits of this most cowardly butchery, one of the foulest deeds in the whole span of Joaquin's wretched existence.

But Calaveras county soon proved too warm a rendezvous for that band of outlaws. The deputy-Sheriff of that county, Captain Charles H. Ellis, a chivalrous young Southerner, to whom fear was a thing unknown, took the lead in a movement to bring the criminals to justice. In several encounters Ellis wounded and killed a number of Joaquin's most valued followers, and afterward burned various dens of the robbers and finally drove them into other counties, where he continued for a time to harass them. In all this campaign Ellis lost very few men.

The bandits continued their murdering depredations in other neighborhoods, but their days of triumph were numbered, for at last the State of California itself had come to the aid of the people. In a response to a petition having numerous signatures, a bill was passed by the Legislature and signed by the Governor, authorizing Captain Harry Love to organize a company of "Mounted Rangers," in order to capture, or drive out of the country, or exterminate the highwaymen. The bill became a law May 17, 1853, and on the 28th day of the same month Captain Love organized his company, consisting of twenty picked men, all that the bill provided for. Each member was to receive one hundred and fifty dollars monthly, and the legal existence of the company was limited to three months. Following is a list of the men's names:

P. E. Connor, C. F. Bloodworth, G. W. Evans, William Byrnes, John Nuttal, William S. Henderson, C. V. McGowan, Robert Masters, W. H. Harvey, George A. Nuttal, Colonel McLane, Lafayette Black, D. S. Hollister, P. T. Herbert, John S. White, Willis Prescott, James M. Norton, Coho Young, E. B. Van Dorn and S. K. Piggott.

With unflagging energy, yet with extreme caution, Captain Love immediately set to work to obtain a full knowledge of the haunts of the robber chieftain, the latest traces of his movements, and all else necessary to enable him to make the attack at the most favorable time and place.

Meanwhile Joaquin himself, and Reis, Three-Fingered Jack, and a few other men were in the valley some distance from Ar-

royo Cantoova, waiting the final arrival of all the promised forces from Sonora and other quarters. Seventy of his men had already arrived at Arroyo Cantoova, with fifteen hundred horses. Joaquin, little dreaming of the danger so near to him, was completing the final arrangements for his projected campaign of Southern California.

On the fifth of July, Captain Love, who had been quietly following the bandit's movements, left San Jose with his company and camped near San Juan for a few days, scouring the mountains in that vicinity. From San Juan he started at night, along the coast route, in the direction of Los Angeles, and staid one or two nights on the Salinas Plains. Thence he went across the San Bonita valley, camping just before daylight, without being discovered, in a small valley in the Coast Range, close to Quien Sabe Rancho. After a short survey of this neighborhood, he proceeded to Eagle's Pass, where he met a party of Mexicans, who said that they were going into the Tulares to capture the wild mustangs, which fed there in great numbers. At Eagle's Pass the Rangers divided, a portion going to the Chico Panoche Pass, and the others taking a course through the mountains. They discovered trails which led both divisions to the same point—the Bayou Seetas, or Little Prairie. Before reaching that place Captain Love stopped a few Mexicans, who were evidently carrying the news of his advance into that wild and suspicious region. Separating once more, the company again met at the Grand Panoche Pass, whence they went in a body to the Arroyo Cantoova, where they found seventy men of Joaquin's band, with the fifteen hundred stolen horses. Here, Captain Love, realizing the futility of opposing with his twenty men so large a force, wisely sought to deceive the Mexicans by informing them that he was executing a commission on the part of the State to obtain a list of all the names of the men engaged in mustang hunting, in order that a tax might be collected from them for the privilege, in accordance with a late act of the Legislature. After this explanation, and after going through the form of taking down the names of the party, he started in the direction of San Juan, but turned about seven or eight miles off, at the head of the Arroyo, in order to watch their movements. It was now the 24th of July, on the morning of which day he returned to the Mexican encampment and found it deserted, not a man or even a horse being left. Fully convinced now that the late tenants of the camp were a portion of Joaquin's band, he resolved to follow their trail. On the next day, which was Sunday, at three o'clock in the morning he reached the Tulare Plains, where he found that the bandits had divided their company, some going south toward the Tejon Pass, and others north toward the San Joaquin river. Detailing a part of the Rangers to proceed to Mariposa county with the rest of his party, numbering only eight men, fearlessly pursued the southern trail, which led in the direction where Joaquin was most likely to be found. Just at day-break he saw smoke rising from the plains on his left, and, turn-

ing from the trail, he rode out toward it. He saw nothing but some loose horses, until within six hundred yards of the spot from where the smoke came. When, ascending a mound, he discovered seven men scattered around a small fire, one of whom was a few steps off, washing a superb bay horse with water which he held in a pan. Their sentinel, who had just been cooking, at this moment caught sight of the approaching party, and gave the alarm to his comrades, who all rushed for their horses, except the man who already held his by the lariat at camp. Hurrying forward, the Rangers succeeded in stopping every man before he reached his animal. Captain Love, riding up to the individual who stood holding the horse, asked him what course he and his friends were traveling. The fellow answered that they were going to Los Angeles. It was evident that the campers were Mexicans, and they were all finely dressed, each wearing over his other costly garments, an expensive broadcloth cloak. Upon a nod from Captain Love, two of the younger Rangers, Henderson and White, stood watching the man who held the horse. The Captain, addressing another Mexican as to their destination, received a reply in direct contradiction to the other person, who flushed angrily and repeated,

"No! we're going to Los Angeles;" and turning to Captain Love, he added, "Sir, if you have any questions to ask, address yourself to me. I am the leader of this company."

The Captain replied,

"I will address myself to whom I please, without consulting you."

The leader, as he called himself, then advanced toward the saddles and blankets, which lay around the fire, when Captain Love ordered him to halt. He walked on, unheeding the command, when the captain drew his revolver and told him if he did not stop instantly he would blow his brains out. With a disdainful toss of his head, and grating his teeth together in rage, the Mexican stepped back and laid his hand upon his horse's mane. This man was Joaquin Murieta, though Captain Love was then ignorant of the fact. He was armed only with a bowie-knife, and was advancing toward his saddle to get his pistols at the time the Captain covered him with his six-shooter. A short distance away stood Three-Fingered Jack, fully armed and anxiously watching his chief's every movement. Separated by their pursuers, surprised, and unable to act in a body; afoot and unable to reach their horses, were scattered here and there other members of the gang. Joaquin was in great and imminent danger, yet his face gave no sign of fear. He held his head firmly and looked about with a cool and unflinching glance, as if he were studying his desperate chances. Occasionally he patted his horse upon the neck, and the spirited animal raised his graceful head, pricked up his ears and stood with eyes flashing, as if ready to start at a word from his master.

At this juncture Lieutenant Byrnes, who had known the robber chieftain in his honest days, rode into the camp, having

fallen behind by order of Captain Love. Instantly, Joaquin, recognizing the Lieutenant, called out to his followers to make their escape, every man for himself. Three-Fingered Jack was off like a flash, drawing the fire of several Rangers. Attention being momentarily diverted from Joaquin, he mounted his horse and rode off, without saddle or bridle, at lightning speed. A dozen bullets from the Colt's repeaters whizzed harmlessly past him. Rushing along a rough and rocky ravine, reckless of the danger, he leaped from a precipice ten or twelve feet high, and was thrown violently to the earth, while the horse turned a half-summersault as he struck the ground, and fell on his back with his heels within a few inches of his master's head.

One of the pursuers, Henderson, leaped fearlessly after him, while others galloped around to head him off at a certain favorable point. Henderson and his horse fell as had fallen the bandit and his steed, and while the young Ranger was remounting Joaquin succeeded in getting a long distance ahead. The spirited charger was fast bearing his rider to safety; a few more bounds would carry him beyond the reach of gun-shot. At this moment, however, one of the rangers, seeing that the rider could not be hit, leveled his rifle at the horse and sent a ball obliquely into his side. The noble steed sank, but rose once more, still vigorous, though bleeding profusely, and was carrying his master out of reach of all danger, when a sudden gush of blood came from the mouth and nostrils of the poor animal, and he fell dead beneath his rider, who, far ahead of his enemies, ran on, afoot. But they soon out-ran him upon their horses, and coming within pistol range, discharged several balls into his body. As the third bullet struck him, Joaquin, facing his pursuers, said,

"Don't shoot any more; the work is done!"

For a few moments he stood there, his face blanching as the life-blood ebbed away; then, sinking slowly to the ground upon his right arm, succumbed to death.

Thus, in his twenty-second year, died Joaquin Murieta, whose natural qualities might have brought him fame and respect, but who chose to be remembered by posterity as a leader of assassins and freebooters. Yet, when we think of the foul wrongs perpetrated against this man by our fellow Americans, can we wonder at his vengeance?

Three Fingered Jack, followed by Captain Love and one or two other Rangers, ran on and on, frequently gaining a considerable distance on his pursuers, whose horses would occasionally stumble in the gopher holes and soft soil of the plain and throw their riders headlong. When overtaken, he would whirl defiantly and discharge his six-shooter. Though a good shot, out of five trials he missed every time. But he went onward till he fell, pierced by nine bullets, and died with his hand on his pistol. He was finally shot through the head by Captain Love, who had wounded him twice before during that five-mile race. Two other bandits were killed and two taken prisoners.

In order to prove to the satisfaction of the public that the celebrated bandit was actually dead, Captain Love was compelled

to adopt a somewhat barbarous course. He caused the head of Joaquin to be cut off and hurried away to the nearest place, one hundred and fifty miles, where alcohol could be obtained in which to preserve it. Three-Fingered Jack's head was also cut off, but being shot through, became offensive and had to be thrown away. But that terrible mutilated hand, from which the bloody outlaw derived his nickname, was preserved.

During the return of the Rangers from this expedition, one of the prisoners broke away and drowned himself in a nearby slough. The other was taken to the Mariposa county jail and kept there until the company were ready to disband, when he was transferred to Martinez. While there he made a confession implicating a large number of his countrymen in sundry crimes. He was ready to make still more important disclosures; but one night the jail was broken into by an armed mob and the prisoner taken out and hanged. The Americans knew nothing of the proceeding, but it is probable that he was put out of the way by Mexicans, who feared the result of the damning revelations the captured robber would have made.

Naturally the death of Murieta caused the disruption of the powerful organization he had established. Its subordinate chiefs followed a marauding life in various parts of California and Mexico, but their petty outbreaks were readily checked by the firm hand of the law.

Rosita spent the remainder of her life with her dead lover's parents, in the province of Sonora, Mexico.

Among the many affidavits positively identifying the robber's head, the following are selected. The Reverend Father Dominic Blaine, who knew Joaquin well, and who had often confessed wounded members of his band, thus testified:

"State of California,
County of San Joaquin. } ss

On this, the 11th day of August 1853, personally came before me, A. C. Baine, a Justice of the Peace in and for said county, the Reverend Father Dominic Blaine, who makes oath in due form of law, that he was acquainted with the notorious robber, Joaquin; that he has just examined the captive's head now in the possession of Captain Connor, of Harry Love's Rangers, and that he verily believes the said head to be that of the individual Joaquin Murieta, so known by him two years ago, as before stated.

D. BLAINE,

Sworn to and subscribed before me the day and year aforesaid.

A. C. BAINE, J. P.

Ignacio Lisarrago, of Sonora, then well known in the lower part of the State, testified as follows:

"State of California,
City and County of San Francisco. } ss

Ignacio Lisarrago, of Sonora, being duly sworn, says: That he has seen the alleged head of Joaquin, now in the possession of Messrs. Nutall and Black, two of Captain Love's Rangers, on

exhibition at the saloon of John King, Sansome street. That deponent was well acquainted with Joaquin Murieta, and that the head so exhibited is and was the veritable head of Joaquin Murieta, the celebrated bandit.

IGNACIO LISARRAGO.

Sworn to before me, this 17th day of August, 1853.

CHARLES D. CARTER,

Notary Public.

Such affidavits, together with certificates from sworn officers of the law, and the voluntary verbal testimony of hundreds of visitors at the different exhibitions of the ghastly relics, fully satisfied the legal authorities of the noted outlaw's death. Captain Harry Love received one thousand dollars, which Governor John Bigler, in his official capacity, had offered for the capture of Joaquin Murieta, dead or alive; and on the 15th day of May, 1854, the Legislature of California, considering that his valuable services in ridding the country of so terrible a presence were not sufficiently rewarded, passed an act granting Captain Love an additional sum of five thousand dollars.

GOLD PRODUCTION OF EL DORADO COUNTY.

No official record was kept of El Dorado county's gold production prior to the year 1880; and the table given below, which was compiled by Charles G. Yale of San Francisco, special agent for the United States Geological Survey, is, owing to the impossibility of securing correct statistics from all mine-owners, very inaccurate, and the actual gold output of the county is undoubtedly several millions of dollars greater than these figures indicate.

Year.	Amount.
1880.....	\$389,383 00
1881.....	710,230 00
1882.....	600,000 00
1883.....	530,000 00
1884.....	577,716 00
1885.....	383 353 85
1886.....	505,992 60
1887.....	551,871 38
1888.....	650,000 00
1889.....	227,688 00
1890.....	204,583 90
1891.....	173,279 08
1892.....	198,321 54
1893.....	294,610 26
1894.....	366,707 67
1895.....	700,101 31
1896.....	812,289 26
1897.....	674,626 00
1898.....	501,966 00
1899.....	404,497 00
1900.....	368,541 00
1901.....	292,036 00
1902.....	335,031 00
1903.....	277,304 00
1904.....	474,994 00

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